

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45979 of 2016

Arising Out of PS.Case No. -377 Year- 2016 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Mastar @ Arbind Yadav, Son of Kani Yadav, R/o Village-Talwan Bigha,
P.S.-Dehri, District-Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 15-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Dehri (T) P.S. Case No.377 of 2016 registered under Sections 147,
149, 337, 353, 379 and 411 of the Indian Penal Code besides
Sections 4(1A) and 21(1) of the D.E. Act, Section 40(i) of the
Bihar Mining Act and Sections 33, 41 and 42 of the Indian Forest
Act.

The accusation is that in the light of the direction of the
higher police officials, a raiding team was constituted including
the informant the Officers Incharge of Dehri Police Station,
Dalmiyanagar Police Station, Harihar Police Station, Aghauri



Gola Police Station, Tilaunu Police Station, Sasaram (Mufassil) Police Station, S.D.P.O. Dehri and other officials for checking the running of illegal stone crusher machines. Accordingly, 87 crusher machines were damaged by J.C.B., which were being run illegally. Similarly, 15 crusher machines, which were being run illegally, were also damaged by J.C.B. In the meantime, Mastar of Talwan Bigha, Kanahiya Sao of village-Jagwan Dih, Hira Sao of village-Amra Talab, Umesh Yadav of village-Amrat Talab, Ramdhani Sao of village-Dahiyawar, Anil Sao of village-Amra Talab and Tenggara of village-Jamuhar, came with procession and started pelting stones and bricks in protest of damaging the crusher machines, which were being run illegally, at the informant and other police officials.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the petitioner is not the owner of the crusher machines, which are said to be run illegally, rather it has come, in course of investigation, that one Mastar of Talwan Bigha and some others at the time of damaging the crusher machines, which were being run illegally, made protest against it and the name of the petitioner has been figured by the investigating agency showing him as Master of Talwan Bigha, while in Talwan Bigha there are several Masters. Further



submission is that the petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Dehri, District-Rohtas, in connection with Dehri (T) P.S. Case No.377 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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