

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47812 of 2016

Arising Out of PS.Case No. -126 Year- 2016 Thana -HISUA District- NAWADA

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1. Shankar Singh, Son of Vijay Singh,
2. Sanjay Singh, Son of Late Shyam Kishore Singh,
3. Ramchandra Yadav, Son of Bhagwat Yadav,
4. Rahul Kumar, Son of Sanjay Singh,
5. Rohit Kumar, Son of Sanjay Singh,
6. Mukesh Kumar @ Gilhari, Son of Faudi Singh,
7. Ranjay Kumar,
8. Vikash Kumar,
9. Rahul Kumar, Petitioner No. 7 to 9 is son of Ramashish Singh,
10. Nitish Kumar, Son of Umesh Singh,
11. Dheeraj Kumar, Son of Anil Singh,
12. Kunal Kumar, Son of Late Ramswaroop Singh, All are resident of
Village- Bhadseni, P.S.- Hisua, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar
For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 25-11-2016 As prayed by the petitioners, the application on
behalf of the petitioner no.6, namely, Mukesh Kumar @ Gilhari is
dismissed as withdrawn.

Heard Mr. Arun Kumar for the petitioner and Mr.
Ram Sevak Choudhary, APP for the State.

The petitioners are named amongst others as
accuseds in Hisua P.S. Case No. 126 of 2016, registered under
Sections 147,148,341,323,427,384,353,379, 504 and 506 of the
IPC and Section 27 of the Arms Act and Section 40 of the Bihar

Minor & Mineral Concession Rules 1972 and pray for grant of anticipatory bail.

The Circle Officer lodged the case that he found several tractors engaged in illegal mining of sand. Some of the tractors were seized thereafter the accused persons who are either owners of the tractors or the supporters came and obstructed in due discharge of the duties inasmuch as an attempt was made to relieve the constables of their weapons.

Contention of the petitioners is that the allegations are general and omnibus. No serious injury were caused to the police personnel.

Learned APP for the State, opposed the payer. Considering the allegation and the other materials available on record, in my view, the petitioners do not deserve privilege of anticipatory bail. Prayer is rejected.

Let the petitioners surrender and pray for regular bail before the Court below. In that event, the Court below shall consider the same on its own merit without being prejudiced by the present order.

(Kishore Kumar Mandal, J)

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