

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39760 of 2016

Arising Out of PS.Case No. -148 Year- 2016 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

- =====
1. Mantoo Singh, son of Biniod Singh
 2. Chandan Singh @ Chandan Kumar Singh, son of Rajendra Singh
 3. Sampat Singh, son of Late Ramji Singh All residents of village Bamhaur, P.O. & P.S.- Sheosagar, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar. null null

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER**

5 17-11-2016 Heard both sides.

The petitioners apprehend their arrest in Sheosagar P.S. Case No. 148 of 2016, registered for the offences punishable under Section 353 and other Sections of the Indian Penal Code.

The S.H.O. of Sheosagar P.S. alleged that he intercepted a Hiva vehicle bearing registration no. BR 45G 0618 loaded with chips and the driver and the vehicle was being taken to the police station. In the meantime, petitioners along with others reached and forcibly snatched the key of the Hiva and got the driver from the custody of the police.

Learned counsel for the petitioners submits that the



entire case is false and concocted. A complaint case was registered on 10.05.2016. On 13.05.2016 Forest Case No. 59/2016 was registered for recovery of the aforesaid Hiva vehicle bearing registration no. BR 45G 0618 with loaded chips. The petitioners Sampat Singh and Mantoo Singh were made accused in the aforesaid forest case in the seizure list. Although their name do not appear in the complaint filed by the Forest Department and these facts show that at the instance of the police and the forest officials, petitioners have falsely been made accused in the aforesaid case. Petitioners have no manner of concern with Hiva vehicle or the chips. Uday Singh was the driver of Hiva and Rajnish Raj was the owner of the Hiva. Rajnish Raj had filed CWJC No. 12072/2016 for releasing of the vehicle Hiva and direction was given to the Divisional Forest Officer, Rohtas at Sasaram. It is submitted that, perhaps, the vehicle has already been confiscated by the Forest Department.

Considering the facts aforesaid and the fact that the petitioners are not at all connected with the Hiva but petitioners have been made accused in the present case as well as in the Forest Case No. 59/2016, petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this

order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VI, Rohtas at Sasaram in connection with Sheosagar P.S. Case No. 148/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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