

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22862 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -BANKA District- BANKA

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1. Nitish Yadav son of Sri Prakash Yadav
 2. Vikash Yadav son of Sri Satish Yadav
 3. Munilal Yadav son of Late Bhupendra Yadav

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. Sanjay Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-05-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 307, 379, 504, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the informant being the driver of a truck was carrying the sand loaded at Majhouni sand when co-accused Nilesh Yadav and the petitioners armed with gun came and asked the informant to hand over the money in his possession. On protest being made co-accused Nilesh Yadav fired at the informant causing bleeding injury. It is further alleged that co-accused Mihilal Yadav, Tanu Yadav, M.P. Yadav and Chandra Shekhar Yadav came variously armed with lathi, danda, katta, knife and on pistol point snatched Rs. 9000/- from the pocket of the informant

It is submitted by learned counsel for the petitioners that since petitioners used to make protest for

illegal mining of sand, hence they have been roped in the present case. The accusation of firing or snatching the money is not specific against the petitioners.

The aforesaid facts constitute ground for consideration of prayer for regular bail, if the petitioners surrender within a period of six weeks in connection with Banka P.S. Case No. 30 of 2016, pending in the Court of learned Chief Judicial Magistrate, Banka.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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