

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3482 of 2018

Arising Out of PS.Case No. -235 Year- 2017 Thana -DORIGANJ District- SARAN

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1. Anil Rai, Son of Late Munshi Rai,
 2. Vidhan Rai, Son of Sri Ganesh Rai.
 3. Teras Kumar Rai @ Teras Rai, Son of Sri Ambika Rai,
 4. Manoj Kumar @ Manoj Rai, Son of Bali Rai.
 5. Rambriksh Rai, Son of Sri Lagandeo Rai.
 6. Alok Rai, Son of Sri Sipahi Rai.
 7. Sanoj Kumar Sanoj Rai, Son of Late Putul Rai,
 8. Sunil Rai, Son of Chhedi Rai.
 9. Kayeel Rai, Son of Sri Pashupati Rai.
 10. Jai Prakash Rai, Son of Late Shankar Rai,
 11. Bijendra Rai, Son of Sri Bhisham Rai,
 12. Bivek Kumar @ Vivek Rai, Son of Sri Bhisham Rai,
 13. Satyendra Rai, Son of Sri Rajendra Rai.
 14. Krishna Rai, Son of Sri Bhutai Rai and
 15. Tulsi Rai, Son of Sri Pashupati Rai, All resident of village- Singahi,
P.S. - Doriganj, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 21-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Doriganj P.S.**

Case No.235 of 2017 instituted for the offence under Section(s)

147, 148, 353, 379, 332, 120-B Indian Penal Code and Section

75, 80, 82, 84 of the Bihar Mines and Mineral Act, 2017.

It is alleged that the police on confidential information seized one tractor near Singahi Chowk loaded with



illegal sand. The driver of the tractor managed to run away and when the police proceeded for police station with the seized truck, then all of sudden these petitioner and other 10-15 persons armed with *lathi* surrounded the tractor and after abusing the police party took away the seized tractor from the possession of the informant.

As such, there is general and vague allegation made against the petitioners.

Petitioners are neither driver of the tractor nor there is allegation of any specific overt act against them.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Doriganj P.S. Case No.235 of 2017**, they shall be released on anticipatory 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 **Additional Chief Judicial Magistrate, VII, Saran at Chapra**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be



present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

JA/-

(Sanjay Priya, J)

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