

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2489 of 2018

Arising Out of PS.Case No. -753 Year- 2016 Thana -BIHTA District- PATNA

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1. UMA SHANKAR ROY @ SIPAHI RAI, Son of Late Jairam @ Jairam Ray @ Siya Ram Rai, Resident of Village-Saurmarwa, P.S.-Maner, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari, Advocate

For the Opposite Party/s : Md. Fahimuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-02-2018

Heard learned counsel for the petitioner learned counsel and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Bihta P. S. Case No. 753 of 2016 registered for offences punishable under Sections 147, 149, 379, 420, 120 B of the Indian Penal Code and 39, 40 and 41 of Mining Act.

The prosecution case as lodged by the informant is that on getting secret information on 04.04.2016, the police reached at the place of occurrence, at the instance of co-accused Fauzi @ Fauzia and petitioner-accused, Uma Shankar Roy @ Sipahi Rai , some miscreants were extracting and removing the sand and on seeing the police force, they tried to flee away but one



of the co-accused, Bhola Mahto was apprehended.

Learned counsel for the petitioner submits that the allegation against the petitioner is general, vague and omnibus and the petitioner has falsely been implicated in this case.

Learned A.P.P. opposes the prayer for bail.

Having regard the facts and circumstances and the vague nature of allegation, the prayer of Anticipatory bail of petitioner, Uma Shakar Rai @ Sipahi Rai is allowed and he in the event of arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Bihta P. S. Case No. 753 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-1st , Danapur, subject to condition as laid down under Sections 438 (2) of the Cr. P. C.

(S. Kumar, J)

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