

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51849 of 2018

Arising Out of PS.Case No. -423 Year- 2018 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. GAUTAM KUMAR @ GAUTAM KUMAR SINGH S/o Ramchandra Singh
 2. Gorkh Singh S/o Jai Govind Singh Resident of Village- Sonhan, P.S. Sonhan, District- Kaimur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Patel

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-10-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 149, 323, 504, 307, 353, 34 of the Indian Penal Code.

The prosecution case, in brief, is that the police seized some tractors overloaded with sands and took away the tractors in question to police station. It is alleged that the accused persons forcibly removed the tractor from trolley from police station.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in this case. Neither any injury is attributed to the petitioners nor any specific overt act has been alleged



against the petitioners. The main allegation is against co-accused Kunkun Patel. The other similarly situated co-accused namely, Birendra Sah, Chandan Singh, Jokhu Singh, Tappu Singh, Mintu Kharwar, Jai Prakash Sha, Chhangur Kharwar have been granted anticipatory bail by coordinate benches of this court vide orders dated 27-08-2018 & 29-08-2018 passed in Cr. Misc. Nos. 49037 of 2017 & 47268 of 2018 respectively.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 423 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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