

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8886 of 2019

Arising Out of PS. Case No.-74 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

1. Ajay Rai, S/o Ram Nandan Rai, resident of village- Chandralay P.S. Hajipur Sadar,
2. Sammy Rai S/o Nagina Rai resident of village-Chandralay P.S. Hajipur Sadar,
3. Lutani Rai S/o Vijendra Rai resident of village-Chandralay P.S. Hajipur Sadar, District-Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 08-05-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Hajipur Sadar P.S. Case no. 74 of 2018, registered under Sections 143, 144, 145, 186, 188, 323, 353, 307, 379, 506 and 504 of the Indian Penal Code and Section 27 of the Arms Act and Section 2, 40(8) and 8(d) of the Bihar Mines and Mineral Act.

The accusation is that on 05.02.2018, informant along with other Police personnel was on special drive against illegal mining. In that course, they reached near Chandralay and started seizing sand loaded trucks. At that time, mob of 200-250 persons started pelting stones upon informant and



other Police personnel in which Police personnel sustained injuries.

Learned counsel for the petitioners submits that while 58 persons, including the petitioners, are named in the F.I.R., but no specific overt act has been attributed against the petitioners. Further submission is that petitioner has no criminal antecedent and similarly situated co-accused Vinay Kumar @ Vinay Rai and others have already been allowed privilege of pre-arrest bail by a co-ordinate Bench of this Court on 13.06.2018 vide Criminal Miscellaneous No. 32777 of 2018.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 74 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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