

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16169 of 2019

Arising Out of PS. Case No.-337 Year-2018 Thana- NAVINAGAR District- Aurangabad

1. Rahul Singh, Son of Satendra Singh
 2. Santosh Singh, Son of Satendra Singh
 3. Angad Singh, Son of Upendra Singh
 4. Krishna Chaudhary, Son of Fakira Chaudhary
 5. Nanhak Chaudhary, Son of Fakira Chaudhary
- All R/o village- Mahuaon, P.S.- Nabinagar (Badem), District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar
For the Opposite Party/s : Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2019 Heard learned Counsels for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Parmeshwar Singh recorded by S.I., Binay Kumar, Nagar Police Station on 21.11.2018 at 7.20 A.M., is to the effect that the informant, being the contractor of Mahuaon Balu Ghat came to know that on 21.11.2018, some persons were overloading sand illegally on the truck. Thereafter, the informant and others went there in night and found two trucks being loaded with the sand. On



protest being made, the accused persons started quarreling. In the meantime, 20 persons came variously armed and started assaulting them and also snatched away their money and mobile phones.

It is submitted by learned counsel for the petitioners that the accusation has been levelled in the background of dispute with regard to illegal mining of sand and its transportation and there is nothing on record to suggest that any injury has been caused to anyone. It is further submitted that for the occurrence of 21.11.2018, FIR has been registered on 01.12.2018 and similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this court vide order dated 21.02.2019 passed in Cr. Misc. No.3430 of 2019. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR.

Considering the accusation to be omnibus and general and there is nothing on record to suggest that any grievous injury has been caused and similarly situated co-accused has been granted anticipatory bail by Co-ordinate Bench of this Court, coupled with statement made in paragraph no.3 of the



petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned **ACJM-I, Aurangabad** in connection with **Nabinagar(Badem) P.S. Case No.337 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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