

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24820 of 2019

Arising Out of PS. Case No.-94 Year-2018 Thana- MANPUR District- Nalanda

1. MUKESH KUMAR Son of Ganga Bisun Resident of Village - Nakatpura, P.S.- Bihar Distt.- Nalanda.
2. Sunil Kumar Son of Krishna Yadav @ Krishn Prasad Resident of Village - Nakatpura, P.S.- Bihar Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranvijay Singh

For the Opposite Party/s : Mr. Rajiv Nayan(App)

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Manpur P.S. Case no. 94 of 2018 registered under Sections 147, 148, 149, 341, 323, 307, 353, 504, 506, 279 of the Indian Penal Code, Section 27 of the Arms Act, Section 4/40 of Bihar Mining Amendment Act-1972 and 8(d) of Bihar Mines Act-2003.

18 accused persons are said to have extricated the illegal sand laden tractor from the custody of the police and assaulted the police personnel by means of rod and also fired upon him.

It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have



committed no offence. They have no concern with the aforesaid occurrence. The allegation levelled against the petitioners is not specific rather general and omnibus. No one has sustained any sort of injury. Though, police had seized the tractor, but the registration number of the tractor is not mentioned in the FIR which goes to falsify the prosecution case. They have no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In 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 learned A.C.J.M.-V, Nalanda at Bihar Sharif in connection with Manpur P.S. Case no. 94 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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