

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36008 of 2019

Arising Out of PS. Case No.-789 Year-2018 Thana- SONEPUR District- Saran

1. Jitu Ray, aged about 26 years, Gender-Male, Son of Sadhu Ray, Resident of Village- Pachhimari Tola Sabalpur,
2. Naresh Ray, aged about 34 years, Gender-Male, Son of Late Doman Ray, Resident of Village- Rahar Diyara Naya Basinda Sonepur, Both Police Station- Sonepur, District- Saran at Chapra

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav, Adv.
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147/149/341/323/332/333/307/353/120B of the Indian Penal Code and 3 Damage to Public Property (Prevention) Act, 1984.

The FIR appears to have been lodged by a police officer who has alleged that around 35 to 40 persons forced the police party to set free the tractor which had been intercepted.

Learned counsel for the petitioners has submitted that though they have been named in the FIR but the accusation is only on the basis of their having been identified by someone



else. Nothing specific has been alleged against the petitioners. The petitioners do not have any concern with extraction or transportation of sand. The allegation is general and omnibus. The co-accused have been granted bail by the Coordinate Bench of this Hon'ble Court in Cr. Misc. No. 16006 of 2019 dated 26.03.2019.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Sonapur, P.S. Case No. 789 of 2018 to the satisfaction of the learned A.C.J.M.-1st Saran, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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