

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51256 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- BARUN District- Aurangabad

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AJAY SINGH @ AJAY KR. SINGH @ BATASAWA Son of Ramsawarup Singh Resident of Village-Malu Khaira, P.O.-Bahuriya Bigha, P.S.-Barun, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Managing Director, Mining Department Govt. of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar, APP

For the Mining Dept. : Mr. Naresh Dikshit, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 16-11-2019 The petitioner apprehends his arrest in connection with Barun P. S. Case No. 86 of 2019 registered under Sections 147, 149,186,307,323,333,341,353,379,411,420,427,504 and 506 of the Indian Penal Code, Sections 4 and 40 of the Bihar Minor Mineral Act, 1972 and Section 15 of the Environmental Protection Act, 1986.

The prosecution story, as per FIR, is that the police, upon information that some persons are indulged in illegal extraction of sand and are keeping the same near Patna canal and are loading the same on the truck, proceeded towards the place of occurrence and saw about 200 persons assembled there started



brick batting, abusing the police party and also attacked upon them by means of *lathi*, rod and bricks etc.

Learned counsel appearing on behalf of the petitioner submits that petitioner has not committed any offence in the manner alleged and the name of the petitioner along with others have been disclosed by the villagers with oblique motive. He further submits that no specific allegation of assault is against the petitioner. He further submits that petitioner is working in a firm near the place of occurrence and he has been dragged in this case unnecessarily and he has got no criminal antecedent.

Having regard to the submissions made by the petitioner and learned counsel appearing on behalf of the Mining Department and taking into consideration the fact that no specific allegation is there against the petitioner and allegation against all the accused persons is general and omnibus in nature, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Barun P.S.Case No. 86 of 2019;



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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