

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60791 of 2019

Arising Out of PS. Case No.-184 Year-2019 Thana- SURYAGARHA District- Lakhisarai

1. Budhan Yadav, Son of Late Janardan Yadav Resident of Village - Chananiya, P.S.- Surajgarha, Distt - Lakhisarai.
2. Bishtu Yadav @ Kisto Yadav Son of Late Binod Yadav Resident of Village - Chananiya, P.S.- Surajgarha, Distt - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Surajgarha P.S. Case No.184 of 2019, for the offence punishable
under Sections 147, 148, 149, 279, 353, 337, 307, 427, 379, 411
of the Indian Penal Code.

The prosecution story as per the First Information
Report is that police party, while on patrolling duty got the
information that illegal sand and stones were being loaded,
proceeded towards the place of occurrence and found that 15-16
tractor and its trailers were coming towards N.H.80 after
loading sand illegally extracted from Kiul's river. When the



police party gave signal to stop vehicle, the driver of the vehicle tried to crush the police party by speeding up the vehicle, however, one tractor lost its balance and over turned. The police seized the trailer of vehicle which was over turned however, the tractor was taken away with the help of driver by its owner. The FIR contains the name of 51 persons including the petitioners at serial No.15 and 23 as sand Mafia.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. Learned counsel further submits that from perusal of the First Information Report itself, the illegal sand and stone were allegedly being carried upon in the tractors and driver of one of the tractors was arrested by the police and admittedly, the petitioners were not the driver or owner of the tractor.

Having regard to the submissions made by the parties and taking into consideration the fact that large number of persons have been named in the First Information Report and no illegal act has been attributed against the petitioners in the First Information Report, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, both the petitioners, above named, are directed to surrender before the learned Court below within a



period of four weeks and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

