

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65181 of 2019

Arising Out of PS. Case No.-201 Year-2019 Thana- SHAMBHUGANJ District- Banka

1. GOLDAN KUMAR SINGH @ GOLDEN KUMAR Son of Khushilal Singh @ Prem Chandra Singh Resident of Village - Pakariya, P.S. - Shambhuganj, District - Banka.
2. Khushilal Singh @ Premchandra Singh Son of Late Mauleshwari Singh Resident of Village - Pakariya, P.S. - Shambhuganj, District - Banka.
3. Praveen Kumar Singh @ Pravin Singh Son of Late Upendra Singh @ Upendra Narayan Singh Resident of Village - Pakariya, P.S. - Shambhuganj, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-10-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Shambhuganj Police Station Case No. 201 of 2019, disclosing offences under Sections 147/148/353/379/411/504/506 of the Indian Penal Code, Section 40 of the B.M.M.C. Rule, Sections 8 and 15 of the P.I.M.T.S. Rule and Section 15 of the Forest and Environment (Protection) Act, 1986.

The allegation against the petitioners is that the petitioners, along with other co-accused persons, raised slogans against the police and administration and also abused them and



helped the accused persons loading the illegally extracted sand on the tractor and forcibly took away the tractor and has also insisted for extraction of sand from Lohagar River, in future.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case inasmuch as they are merely labourers and reside in the same village. He further submits that neither the tractor nor the driver is related and having any concern with the petitioners and the petitioners are not involved in the illegal extraction of sand. He further submits that on the identification of the Dafadar, the names of the petitioners and others have come in the present offence and the petitioners have got no criminal antecedent.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioners have got no criminal antecedent and their names have come in the present case on the identification of the Dafadar, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Shambhuganj Police Station Case No. 201 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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