

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73914 of 2019

Arising Out of PS. Case No.-218 Year-2019 Thana- SURYAGARHA District- Lakhisarai

1. PUTUR KUMAR YADAV @ PUTUR KUMAR, aged about 30 years, (M) Son of Bacchu Yadav, Resident of Lakhochawk, P.S.- Kuil, Dist.- Lakhisarai.
2. Guddu Kumar, aged about 30 years, male, Son of Ramakant Yadav @ Bihar Yadav, Resident of Village - Vrindaban, P.S.- Kuil, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jainendra Kumar
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 279, 353, 307, 379, 411, 504, 506 of the Indian Penal Code, Section 4/40 of Bihar Mineral Minor Concession Act, 1972, Sections 4, 6 and 8 of the Bihar Control and Prevention of Illegal Mining and Transportation and Storage Act, 2003 and Section 15 of Environment of Protection Act, 1986.

Informant is a police officer who in his written complaint has stated that on 17.07.2019 while he was on evening patrolling duty along with other police personnel at



7.30 p.m., he saw 4-5 tractors tailor loaded with sand and when he asked them to stop, they fled away leaving their tractors tailor loaded with sand. Meanwhile, 12-15 persons on motorcycles came and started assaulting the police party in order to rescue their tractors loaded with sand. The miscreants also threw brick and stone upon the police party.

It has been submitted on behalf of the petitioners that petitioner no.1 is owner and petitioner no.2 is driver of the one of the tractor/tailors.

Considering the facts and circumstances of the case and nature of allegation, I am not inclined to grant the petitioners anticipatory bail. Hence, the prayer for bail of the petitioners is hereby rejected.

Petitioners if surrender and apply for regular Bail, same to be considered on same day without being prejudiced by rejection of Anticipatory Bail.

(S. Kumar, J)

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