

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71057 of 2019

Arising Out of PS. Case No.-224 Year-2019 Thana- WARISLIGANJ District- Nawada

1. Ashok Singh @ Asho Singh Son of Late Jodha Singh
2. Vikash Singh Son of Late Ramchandra Singh
Both R/o Manjaur, P.S. Warisaliganj, Distt.- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-11-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Warisaliganj P.S. Case No.224 of 2019 registered for offence punishable under Sections 341, 323, 337, 338, 332, 379, 411, 147, 148, 149, 353, 307, 504 of the Indian Penal Code and Sections 4/21 of the Mines and Minerals(Development and Regulation) Act, 4/40 of Bihar Minor Mineral Concessions Rules, 1972, Rule-4, 5(a), 5(c) (8c) of Bihar Minerals (Prevention of Illegal Mining Transportation and Storage) Rules and Section 15 of Environmental Act, 1986.

As per F.I.R. sand is being loaded illegally on seven tractors by Balu Mafia and after seeing the police party, they succeeded in fleeing with two tractors loaded with sand and



thereafter forming an unlawful assembly they started pelting stones on the police party, in which police personnel became injured. In the occurrence, petitioners and some other accused persons were identified. Petitioners are named as accused in the F.I.R.

Submission of learned counsel for the petitioners is that petitioners are neither driver of the tractors nor they are owner of seized tractors.

In view of facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however petitioners are directed to surrender before the court below and make a prayer for regular bail. If petitioners surrender before the court below and pray for regular bail, the learned court below shall consider the same without being prejudiced with this order in accordance with law preferably on the same day.

With above observation, this application is disposed of.

(Vinod Kumar Sinha, J.)

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