

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3225 of 2020

Arising Out of PS. Case No.-49 Year-2019 Thana- PARAIYA District- Gaya

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1. Pramod Yadav Son of Rajnath Yadav Resident of Village - Ishwarpur, P.S.- Paraiya, Dist.- Gaya.
 2. Umesh yadav @ Sadhu Yadav Son of Kuldeep Yadav Resident of Village - Naili, P.S.- Paraiya, Dist.- Gaya.
 3. Chandradeep Yadav @ Ravindra Kumar Son of Komal Prasad Resident of Village - Prabhua P.S.- Paraiya, Dist.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 379, 384, 307 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Diwakar Kumar Vishwakarma, Station House Officer of Paraiya Police Station is to the effect that on 20.03.2019 information was received that for the illegal mining of the sand, two groups are using force subsequently, the informant reached on the spot



and found that firing was going on between the two groups, on seeing the police party, the accused persons escaped from the scene and two motorcycles were seized from the place of occurrence. The informant came to know that 17 persons including the petitioners and 10-15 unknown were indulged in illegal mining of the sand.

It is submitted by learned counsel for the petitioners that the accusation has been levelled against the mob only on the basis of suspicion, the entire case has been set up. It is further submitted that the accusation of illegal mining of sand is omnibus and general against all the accused persons. Though, the petitioners are accused in some other cases related to illegal mining of sand but they are on bail in those cases.

Learned APP submits that the petitioners are named in the FIR.

Considering the accusation being omnibus and general and the fact that no injury has been caused to anyone, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional



Chief Judicial Magistrate-III, Gaya in connection with Paraiya
P.S. Case No. 49 of 2019, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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