

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4044 of 2020

Arising Out of PS. Case No.-127 Year-2016 Thana- DEHRI TOWN District- Rohtas

1. SANTOSH SINGH Son of Kedar Singh @ Bhola Singh Resident of Village - Gopi Bigha, P.O.- Jamuhar, P.S.- Deihri, Dist.- Rohtas.
2. Moti Singh Son of Kedar Singh @ Bhola Singh Resident of Village - Gopi Bigha, P.O.- Jamuhar, P.S.- Deihri, Dist.- Rohtas.
3. Gopal Singh @ Gopal Narain Singh Son of Kailash Singh Resident of Village - Gopi Bigha, P.O.- Jamuhar, P.S.- Deihri, Dist.- Rohtas.
4. Sunil Kumar @ Sumit Singh Son of Kailash Singh Resident of Village - Gopi Bigha, P.O.- Jamuhar, P.S.- Deihri, Dist.- Rohtas.
5. Sarpanch Sudarsan Singh @ Sudarsan Singh Son of Late Naresh Singh Resident of Village - Gopi Bigha, P.O.- Jamuhar, P.S.- Deihri, Dist.- Rohtas.
6. Parsuram Singh @ Bimleshwar Bharti Son of Late Naresh Singh Resident of Village - Gopi Bigha, P.O.- Jamuhar, P.S.- Deihri, Dist.- Rohtas.
7. Lakshman Singh @ Lakshman Yadav Son of Late Dwarika Singh Resident of Village - Gopi Bigha, P.O.- Jamuhar, P.S.- Deihri, Dist.- Rohtas.
8. Nand Lal Singh @ Nandu Singh Son of Late Sheopujan Singh Resident of Village - Gopi Bigha, P.O.- Jamuhar, P.S.- Deihri, Dist.- Rohtas.
9. Ram Asish Singh Son of Late Chhathu Singh Resident of Village - Gopi Bigha, P.O.- Jamuhar, P.S.- Deihri, Dist.- Rohtas.
10. Mithlesh Singh @ Bharat Singh Son of Ram Ratan Singh Resident of Village - Gopi Bigha, P.O.- Jamuhar, P.S.- Deihri, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Pandey
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.



Heard the learned counsel for the petitioners and Shri Chandra Bhushan Prasad, learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dihri (T) P.S. Case No. 127 of 2016 for the offence registered under Sections 379 and 120(B) of the Indian Penal Code, Sections 33, 41 and 42 of the Forest Act, Sections 4(1-a), 21(1) of D.E. Act and Sections 40(1) of B.M. Act.

The allegation is regarding the accused persons including the petitioners having engaged in re-starting the crushing machines as also engaging in illegal excavation of minerals. It is alleged that stone chips and raw material were also recovered from near the crusher.

The learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in the present case and are having clean antecedents. It is further submitted that no recovery of any sort of incriminating articles have been made qua the petitioners herein and they have been falsely roped in the present case merely on suspicion.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for



the petitioner and taking into account the fact that the petitioners are having clean antecedents and there has been no recovery of any incriminating articles from them, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dehri, Rohtas in connection with Dihri(T) P.S. Case No. 127 of 2016 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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