

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8499 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- KIUL District- Lakhisarai

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RANJEET YADAV S/o Gajo Yadav R/o Village- Mohanpur, P.S.- Kiul,
District- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-06-2020 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 petitioner and Mrs. Anita Kumari Singh, the learned APP for the State.

The petitioner apprehends his arrest in connection with Kiul P.S. Case No. 37 of 2019 for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 337, 427, 353, 504, 506 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act, 1984.

The case of the prosecution in brief is that the police personnel had proceeded to the place of occurrence for preventing illegal sand mining and when they had reached at



Lakhochak Durga Asthan, they saw 3-4 tractors loaded with illegal sand, coming from main road and several accused persons on various motorcycles were following the tractor and were escorting the tractors. These persons are said to be belonging to the sand Mafia. It is further alleged that when the police had tried to prevent the accused persons from taking away the illegal sand loaded tractor, scuffle had taken place in between the police personnel and the accused persons and the police vehicles were also set on fire and subsequently the name of the accused persons were disclosed by the village chowkidar.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case inasmuch as neither any of the tractors in question belong to the petitioner nor any specific overt act has been alleged as far as the petitioner is concerned. It is further submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by this Court vide order dated 16.11.2019 passed in Cr. Misc. No. 65877 of 2019.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named



shall be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Kiul P.S. Case No. 37 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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