

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14473 of 2020

Arising Out of PS. Case No.-457 Year-2019 Thana- GHOSI District- Jehanabad

1. RAVI SHANKAR SHARMA Son of Ravindra Sharma Resident of Village - Kurre, Police Station - Ghoshi, District - Jehanabad.
2. Shivjee Sharma @ Faujee Son of Ravindra Sharma Resident of Village - Kurre, Police Station - Ghoshi, District - Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-06-2020 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 petitioners and Mrs. Anita Kumari Singh, learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Ghoshi P.S. Case No. 457 of 2019 for the offence registered under Sections 147, 341, 323, 353, 325, 379 and 420 of the Indian Penal Code.

The allegation is regarding the police patrolling party having reached at Falgu river at the excavation place namely



Bansi Bigha where they found that sand was being illegally transported by means of a tractor and upon intercepting the tractor and asking the driver to show the permit, the driver of the tractor had called 7-8 persons and engaged in scuffle with the police. Later on it transpired that the alleged tractor by which illegal sand was being transported belong to the petitioner no. 1 herein.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and are having clean antecedent. It is further submitted that the fact is that the police had tried to extort money from the driver of the tractor in question and upon non-payment of the same, the petitioners have been falsely implicated in the present case.

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 of the learned counsel for the petitioners and taking into account the fact that neither the petitioners herein have been arrested at the spot nor they are having a bad antecedent, I deem it fit and proper to admit the petitioners 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 A.C.J.M.-1st, Jehanabad in connection with Ghoshi P.S. Case No. 457 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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