

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33737 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- DEHRI TOWN District- Rohtas

1. Pankaj Kuimar, aged about 32 years, (Male), S/o Late Lalan Singh, Resident of Village-Rudrapura, P.S.-Dehri, District-Rohtas.
2. Santosh Kumar, aged about 25 years, (Male), S/o Shiv Narayan Singh, Resident of Village-Rudrapura, P.S.-Dehri, District-Rohtas.
3. Bikash Kumar, aged about 24 years (Male), S/o Late Arun Singh, Resident of Village-Rudrapura, P.S.-Dehri, District-Rohtas.
4. Jokhan Singh, aged about 50 years (Male), S/o Late Ram Bachan Singh, Resident of Village-Kanchanpur, P.S.-Sasaram (M), District-Rohtas.
5. Om Prakash Singh, aged about 42 years (Male), S/o Late Udeswar Singh, Resident of Village-Kanchanpur, P.S.-Sasaram (M), District-Rohtas.
6. Manoj Singh @ Manoj Kumar Singh, aged about 40 years, (Male), S/o Janak Singh @ Jaynandan Singh, Resident of Village-Kanchanpur, P.S.-Sasaram (M), District-Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Rajani Kant Singh, Advocate.
For the Opposite Party	:	Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 341, 342, 337, 307, 353, 504, 120(B) of the I.P.C. and 27 of the Arms



Act.

The prosecution story, in brief, is that on getting information of running illegal Crusher Machine, the informant and others raided the villages- Mahadeva, Gopi Bigha and also Rudrapura and found that in the village-Rudrapura, Binod Singh, Indal Singh, Ravindra Yadav, Kalendra Kumar, Umesh Yadav, Pankaj Kumar, Santosh Kuamr, Bolbam Singh, Vikash Kumar, Sikandra Kumar, Guddu Kumar and Sanjay Kumar having installed Crusher Machine and were preparing stone chips. When the raiding party started demolishing the Crusher Machine then at about 4.30 P.M., anti-social elements alongwith 100-150 unknown associates started to raise slogans and pelted stones on the raiding party. The local Choukidar disclosed the names of Pintu Singh, Kamlakant Singh, Om Prakash Singh, Jokhan Singh, Manoj Singh, Munna Singh and Parmeshwar Singh who were instantiating the anti-social elements. Firing was also made by the accused persons.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation



has been made against the petitioners. No overt act is alleged against the petitioners. The names of the petitioners have transpired in the present case on the basis of disclosure made by local *Choukidar*. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Dehri, Rohtas, in connection with Dehri Town P.S. Case No. 03 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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