

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33065 of 2020

Arising Out of PS. Case No.-60 Year-2020 Thana- SHAMBHUGANJ District- Banka

1. PINTU KUMAR @ PINTU KUMAR SINGH, son of Bhajavlat Singh Resident of Village- Pokri, P.S. Shambhuganj, District- Banka (Bihar)
2. PANKAJ SINGH, son of Prakash Singh Resident of Village- Pokri, P.S. Shambhuganj, District- Banka (Bihar)
3. MANOJ YADAV @ MANOJ KUMAR YADAV, son of RAMOTAR YADAV Resident of Village- Pokri, P.S. Shambhuganj, District- Banka (Bihar)
4. MANOJ SINGH @ MANOJ KR. SINGH, S/O LATE BALDEO SINGH Resident of Village- Pokri, P.S. Shambhuganj, District- Banka (Bihar)
5. JITENDRA SINGH @ JITENDRA KUMAR, son of NAVIN SINGH Resident of Village- Pokri, P.S. Shambhuganj, District- Banka (Bihar)
6. MANISH SINGH @ MANISH KUMAR SINGH, son of SATYANARAYAN SINGH Resident of Village- Pokri, P.S. Shambhuganj, District- Banka (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nirbhay Kumar Singh
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-03-2021 Mr. Pratyush Pratap Singh, learned counsel for

the petitioners seeks permission to withdraw this petition

with respect to petitioner nos. 2, 4, 5 and 6, namely,

Pankaj Singh, Manoj Singh @ Manoj Kumar Singh,

Jitendra Singh @ Jitendra Kumar and Manish Singh @

Manish Kumar Singh, respectively.



The application with respect to petitioner nos. 2, 4, 5 and 6 stands dismissed as withdrawn.

Heard the learned counsel for the parties.

The petitioner nos. 1 and 3 seek bail in anticipation of their arrest in connection with Shambhuganj P. S. Case No. 60 of 2020, dated 13.03.2020, instituted for the offences under Sections 379 and 411 of the Indian Penal Code; Rule 56 BM (CPIMTS) Act, 2019; Sections 21(1), 21(4) MM (D & R) Act, 1957; and Section 15 FEP. Act, 1986.

The police received a confidential information that huge quantity of sand is being extracted and loaded on a vehicle for transportation. The driver and the labourers could manage to escape on the arrival of the police party. On enquiry from the villagers, the name of petitioner nos. 1 and 3 along with their associates transpired.

The learned counsel for the petitioners has submitted that the petitioner nos. 1 and 3 are neither



the driver nor the owner of the tractor nor are they anyway concerned with the extracted sand which has been seized.

The driver of the vehicle has already been released on anticipatory bail by a Bench of this Court.

The petitioners have no criminal antecedents.

Considering the afore-stated facts, the petitioners no. 1 and 3, namely, Pintu Kumar @ Pintu Kumar Singh and Manoj Yadav @ Manoj Kumar Yadav, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Shambhuganj P. S. Case No. 60 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.



The application stands allowed.

(Ashutosh Kumar, J)

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