

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5020 of 2021**

Arising Out of PS. Case No.-388 Year-2020 Thana- GHOSI District- Jehanabad

Sanjay Sharma Alias Sanjay Rangdar 44 years Son Of Late Rajnandan
Sharma Resident Of Village - Kairwa, P.S. - Ghoshi, District - Jehanabad

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar
For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 26-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 307 and other ancillary sections of the Indian Penal Code and sections 11 and 56 of the Bihar Mineral Concession and Illegal Mining Transportation and Storage Act, 2019 and section 15 of the Environment Protection Act.

As per the prosecution case, one tractor loaded with illegal sand was seized and the same was being taken to the Police Station. In the meantime, 12/13 accused persons, armed with lathi, danda and khanti, surrounded the tractor and attacked on the police force as a result of which police party



sustained injuries.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name conspired during course of investigation by Chaukidar. There is general and omnibus allegation of assault against the petitioner. He is in custody since 20.10.2020.

Considering the facts and circumstances of the case and the fact that the petitioner is not named in the FIR and there is general and omnibus allegation of assault against the petitioner, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad in Ghoshi Police Station Case No. 388 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(Prabhat Kumar Singh, J)

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