

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14385 of 2022**

Arising Out of PS. Case No.-59 Year-2020 Thana- NARALI KALA KHURD District-
Aurangabad

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GAUTAM SAGAR RANA SON OF RAMESHWAR RANA R/O VILLAGE-
DUMARDIHA, P.S. AND DISTRICT- KODERMA (JHARKHAND)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 332, 333, 341, 427, 353, 337, 338, 379, 307, 420 of the
Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The prosecution story, in short, is that the accused
persons were involved in the illegal mining of sand and when
the police party arrived, the accused persons attacked and
damaged the government vehicle and got the accused along with



the vehicle released.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and works in Koderma. It is further submitted that the police had seized Poclain and tractor and the Poclain belongs to the petitioner. It is further submitted that in absence of the petitioner, the driver of Poclain was coming from the side of the river when the vehicle was apprehended under the misnomer that it was involved in the illegal mining. It is next submitted that now the vehicle has been released by the learned Trial Court. It is further submitted that co-accused, who are named in the FIR, have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 05.01.2022 in Cr. Misc. No. 25551 of 2021. Learned counsel next submits that since the vehicle has been released, it amply demonstrates that the vehicle was not involved in the illegal mining.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) with two sureties of the like amount
each to the satisfaction of the learned court below where the
case is pending/successor court in connection with Narari Kala
Khurd P.S. Case No. 59 of 2020, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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