

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19901 of 2022

Arising Out of PS. Case No.-220 Year-2020 Thana- LAXMIPUR District- Jamui

1. YOGENDRA PANDIT S/O BALESHWAR PANDIT R/o village- Banadih,
P.S.- Gidhaur, District- Jamui
2. Rahul Kumar @ Rahul Pandit S/o Yogendra Pandit R/o village- Baligarh,
P.S.- Runnisaidpur, District- Sitamarhi

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

The petitioners are apprehending their arrest in a case
registered under Sections 147, 148, 149, 341, 323, 307, 379,
353, 504, 506 of the Indian Penal Code, 4/21 of MMDR Act,
1957 and 4/40 of Rule of BMMC 1972 and 8(A) of Bihar
Minerals Prevention of Illegal Mining Transportation and
Storage Rules, 2003 and 15 of Forest and Environment
Protection Act, 1986.



The prosecution allegation, in short, is that the accused persons were protesting against arrest of co-accused who was involved in illegal mining of sand.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of 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 specific overt act is alleged against the petitioners. A general protest was being made on the arrest of a person in respect of illegal mining of sand against the police. Altogether 3 named persons along with 20-25 unknown have been made accused 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, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Jamui in connection with Laxmipur P.S. Case No. 220 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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