

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37395 of 2022**

Arising Out of PS. Case No.-111 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

HARENDRA SINGH SON OF LATE RAM GANESH SINGH R/O  
VILLAGE- DHANKADHA, P.S.- SASARAM (M), DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Siddharth Harsh, Adv.

For the Opposite Party/s : Mr.Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      22-11-2022      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove  
the defects within four weeks.

The petitioner apprehends his arrest in a case registered  
for the offence punishable u/s 147, 148, 149, 341, 323, 382, 353,  
307, 498, 504, 506 of the IPC, section 27 of the Arms Act and  
sections 33, 41, 42 of the Indian Forest Act.

The prosecution case in short is that police party seized  
one Mahindra Tractor loaded with stone chips and on spotting  
the police party, driver and five labourers fled away from the  
spot. Thereafter, the petitioner along with 15-20 other persons  
stopped the police in the way and forcibly took away the tractor.  
The said tractor was however recovered. In this process, some



unidentified persons fired upon the police party.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is that he being the tractor owner leaded the crowd and attacked the police officials. It is submitted that without disclosure of the source of identification, police claimed that the petitioner is the owner of the said tractor but the same does not belongs to the petitioner. This fact is also mentioned in para-6 of this application. It is submitted that petitioner was not present at the place of occurrence. It is further submitted that there is no compliance of section 100 of the Cr.P.C. and only on suspicion, petitioner has been made accused in this case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since petitioner is not the owner of the said tractor, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Sasaram  
(M) P.S. Case No.111 of 2021, subject to the conditions as laid  
down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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