

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3794 of 2021**

Arising Out of PS. Case No.-10 Year-2021 Thana- SANGRAMPUR District- Munger

Ashish Kumar Anand @ Abishek Kumar Son of Pramod Kumar Chaudhary
Resident of Village - Phejullapur, Police station - Barbigha, District -
Sheikhpura.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant : Mr.Bipin Kumar, Advocate

For the Respondent : Mr.Sadanand Paswan, Spl. Public Prosecutor

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

2 20-07-2022 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The present appeal has been filed for setting aside the order dated 19.6.2021 passed by learned A.D.J.-I Munger in Sangrampur Police Station Case No. 10 of 2021, registered for the offence punishable under Sections 379, 506/34 and other allied sections of the Indian Penal Code and Section 3(i)(r)(s) of SC/ST Act, Sections 4/21 of the MM (DR) Act, 1957 and Sections 11/56 of the BMMC Rules, 2019, whereby prayer for bail of the appellant was rejected.

As per the prosecution case, during vehicle checking, vehicle of the appellant loaded with illegal sand was seized by the informant. It is further alleged that the appellant did not



produce papers. However, he abused the informant by calling his caste name and somehow managed to flee away.

It is submitted on behalf of appellant that the appellant is innocent and has falsely been implicated in this case. Appellant is a railway employee posted in Chakardharpur and he was not present on the spot at the time of alleged seizure.

However, learned Special P.P. has opposed the appeal and submitted that there is direct allegation in the FIR that during vehicle checking, his vehicle loaded with illegal sand was seized by the informant. It has further been alleged that the appellant did not produce papers rather he abused the informant by calling his caste name and fled away.

Considering the aforesaid facts and circumstances, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has been filed for grant of pre-arrest bail, is hereby rejected.

(Prabhat Kumar Singh, J)

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