

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39375 of 2022

Arising Out of PS. Case No.-142 Year-2021 Thana- ROHTAS District- Rohtas

1. BABU YADAV @ PRINCE KUMAR S/o Viswnath Yadav R/o village-Tumba, P.S.- Rohtas, District- Rohtas
2. Pran Kumar Yadav @ Rajesh Kr. Yadav S/o Viswnath Yadav R/o village-Tumba, P.S.- Rohtas, District- Rohtas
3. Manish Yadav S/o Ramesh Yadav R/o village- Tumba, P.S.- Rohtas, District-Rohtas
4. Sheetal Yadav S/o Ganga Yadav R/o village- Tumba, P.S.- Rohtas, District-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Pandey

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with rohtas P.S. Case no. 142 of 2021 instituted for the offence punishable under Sections 147, 148, 149, 34, 307, 353, 379, 411, 506, 201 of the Indian Penal Code.

As per allegation in the FIR, petitioners along with other co-accused persons have created hindrance to the police party in discharging them their official duty while on getting



secret information they reached to place of occurrence to apprehend the accused persons who are indulged in excavation and transporting of illegal sand. After seeing the police officials, driver of seized loaded tractor managed to escape. It is further alleged that mob of the accused persons succeeded in got free the alleged seized tractor from police clutches.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. General and omnibus allegations have been levelled against them. They were only the member of the mob. No one has received injury in the alleged incident. Neither the petitioners were arrested on spot nor any incriminating article has been recovered from their possession. Due to high handedness of the police party, the petitioners have been made accused in the present case.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest



or surrender in connection with Rohtas P.S. Case no. 142 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Dihri, Rohtas subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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