

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62246 of 2021

Arising Out of PS. Case No.-86 Year-2019 Thana- BARUN District- Aurangabad

1. DHANANJAY KUMAR S/o Raghuvir Singh Resident of Village- Khaira, P.S.- Barun, District- Aurangabad.
2. PRINCE KUMAR @ PRINCE KUAMR S/o Sudama Singh Resident of Village- Khaira, P.S.- Barun, District- Aurangabad.
3. AMRESH SHARMA S/o Suraj Mistry Resident of Village- Khaira, P.S.- Barun, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Rakesh Singh, Advocate
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-07-2022 Heard learned Senior Counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 186, 333, 379, 353, 307, 420, 411, 504, 506, 427 of the Indian Penal Code, Sections 4 and 40 of the Bihar Minor Mineral Concession Rules and Section 15 of the Environment Protection Act.

Learned Senior Counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 and 3 have antecedent of one case.

The informant alleges that he along with other police



personnel reached near the house of Bhola Singh, 200 persons assembled there and when they tried to stop the lifting of sand then all the accused persons started throwing stone pieces upon the police personnel.

Learned Senior Counsel for the petitioners submits that petitioners have been falsely implicated in this case and the FIR has been lodged against 19 named accused persons and 150 unknown persons. Petitioners are not named in the FIR and on the basis of suspicion they have been made accused during the course of investigation. Learned Senior Counsel further submits that even the allegation of assault is general and omnibus in nature. Learned Senior Counsel next submits that similarly situated other co-accused have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 30.05.2019 passed in Cr. Misc. No. 35420 of 2019.

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

Considering the submissions made by the learned Senior Counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Barun P.S. Case No. 86 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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