

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1770 of 2022

Arising Out of PS. Case No.-139 Year-2020 Thana- MAHKAR District- Gaya

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Kedar Yadav @ Dharmendra Yadav S/O Ramautar Yadav Resident Of
Village- Sahbjpur, P.S.- Khizersarai, District- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 353, 379, 504, 506 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant alleges that a police team was formed to check illegal excavation of sand and when the police reached the place of occurrence, then seeing the police force, both the drivers leaving the tractors started fleeing away. The police chased, but could not apprehend them and both the tractors and trailer were identified which were laden with sand and the police seized the same and was taken to the police station, but on the way, the petitioner along with 29-30 unknown persons intercepted them and thereafter forcibly got the tractor released.

The learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case. It is next submitted that the petitioner was not even present at the place of occurrence. It is also submitted that he came to be implicated merely because he is owner of the tractor.

Learned A.P.P. opposes the bail application and submits that the F.I.R. is clear that the driver of the vehicle after seeing the police force started fleeing and thus, they did not scuffle with the police. It is next submitted that the petitioner is the owner of the tractor, as such, he had interest in getting the tractor released and thus, the present occurrence was committed where forcefully the tractor was snatched from the police. The leaned counsel submits that this is the way the sand mafias work and they are so emboldened as they do not even fear the police. The learned counsel further submits that even Para-3 of the anticipatory bail application is incomplete.

Considering the submissions made by the learned Additional Public Prosecutor, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

Accordingly, his prayer for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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