

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7155 of 2023**

Arising Out of PS. Case No.-164 Year-2022 Thana- BUNIYAD GANJ District- Gaya

1. PINTU YADAV @ PINTU KUMAR Son of Tileshvar Yadav R/v- Rupaspur, P.S.- Buniyadganj, Dist- Gaya
2. SANTU YADAV @ SANTU KUMAR Son of Tileshvar Yadav R/v- Rupaspur, P.S.- Buniyadganj, Dist- Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Buniyadganj P.S. Case No. 164 of 2022 registered for the offences punishable under Sections 147, 148, 341, 323, 504, 506, 307, 353, 379 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant who is A.S.I. of Buniyadganj Police Station, has alleged that when one tractor loaded with sand was tried to stop then driver tried to escape but he was apprehended, he disclosed his



name as Amar Kumar. It is further alleged that in the meantime, owner of the tractor and 7-8 other persons also came there and tried to save the driver and tractor. It is alleged that his other associates started abusing and mar-pit with the police and they assaulted one Dhananjay Kumar on his eyes.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that petitioners are not the owner of the said tractor rather the owner of the said tractor is Tileshwar Yadav.

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

Having regard to the fact that this case relates to illegal transportation of sand which has become a big menace for the State involving huge illegal business and it is the own admission of the petitioners that after the tractor in question was intercepted by police they were trying to negotiate to take his tractor, on the face of the allegations and the fact that the tractor also belongs to father of the petitioners and these petitioners had been trying to negotiate



with the police when alleged occurrence has taken place in which one of the staff Dhananjay Kumar got injuries over his eyes, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is, thus, refused.

This application is dismissed.

(Rajeev Ranjan Prasad, J.)

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