

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12944 of 2023

Arising Out of PS. Case No.-214 Year-2020 Thana- BARBIGHA District- Sheikhpura

1. Praveen Kumar Singh Son Of Ram Chander Singh R/O Village- Rela Narayan, P.S.- Gayghat, District- Muzaffarpur
2. Amarnath Singh Son Of Suryadeo Singh R/O Village- Basudeopur, Chandel, P.S.- Basudeopur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in Barbigha (Mission O.P.) P.S. Case No. 214 of 2020 registered for the offences punishable under Section 379, 353 of 34 of the Indian Penal Code pending in the Court of learned Chief Judicial Magistrate, Sheikhpura.

As per the prosecution case, on raid, four trucks found overloaded with mines. It is further alleged that the owner and driver of the two trucks tried to gather people and succeeded to flee alongwith loaded truck.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation levelled against



the petitioners is not specific rather general and omnibus in nature. He submits that co-accused persons have been granted anticipatory bail by the learned Court below vide A.B.P. no. 763 of 2022 on 17.11.2022. Petitioners have got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that there is specific overt against the petitioners. Hence, they do not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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