

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16895 of 2023

Arising Out of PS. Case No.-5 Year-2022 Thana- PARASBIGHA District- Jehanabad

Pintu Yadav @ Pintu Kumar S/O Suresh Yadav Resident of Village- Mahadev
Bigha, P.S.- Parasbigha, District- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Parasbigha P.S. Case No.05 of 2022, registered for offences under Sections 341, 323, 307, 353, 504, 427/34 of the IPC.

The allegation is regarding the informant along with other police personnel having conducted a raid at Mahadev Bigha where they had found two tractors laden with illicit sand and, on seeing the police, the drivers of both the tractors fled away, however, subsequently, the owners of both the tractors along with some



villagers had arrived there and engaged in scuffle with the police force. It is further alleged that thereafter, the petitioner along with one another co-accused person had started the tractor and moved it towards the police force with a view to run over the informant, however, somehow the informant managed to escape.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is not the owner of the tractor in question and he is merely a driver, however, the allegation of him having tried to run over the informant is not substantiated by the facts of the case, inasmuch as the informant has admittedly neither been hurt nor sustained any injury. It is further submitted that similarly situated co-accused person, namely, Dhiraj Kumar has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, vide order dated



13.12.2022, passed in Cr. Misc. No.43346 of 2022.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of co-accused Dhiraj Kumar, who has already been granted the privilege of anticipatory bail, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, 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-1st Class, Jehanabad in connection with



Parasbigha P.S. Case No.05 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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