

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 25537 of 2023

Arising Out of PS. Case No.-321 Year-2022 Thana- NARDIGANJ District- Nawada

1. Sanjeet Kumar S/O Late Pokhi Singh @ Ambika Singh Resident of Village- Pasai, P.S.- Nardiganj, District- Nawada.
2. Dhananjay Kumar S/O Late Pokhi Singh @ Ambika Singh Resident of Village- Pasai, P.S.- Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Nardiganj P.S. Case No. 321 of 2022 dated 29.09.2022, instituted for the offence punishable under Sections 147, 149, 323, 324, 307, 379, 427, 353, 504 of the Indian Penal Code.

3. The prosecution case, in short, is that on 29.09.2022, when police party was on patrolling duty then around 04.00 P.M, in Pasai village, the police party found that Swaraj Tractor bearing registration no. BR 27 GA 2872 engaged in illegal sand mining in Dhadhar river and after seizing vehicle, when police party was on the way for police station, then petitioners along with other accused persons attacked informant and his team by *Lathi-danda*



and brick stones, due to which some members of the police party sustained injury and Govt. vehicle also damaged. Thereafter, the petitioners along with other accused persons fled away with the seized tractor.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. Learned counsel for the petitioners submits that there is no specific allegation against the petitioners. Allegation against the petitioners are general and omnibus. Learned counsel for the petitioners further submits that no name of the villagers, who took the name of the petitioners, has not been disclosed in the F.I.R.. Learned counsel for the petitioners submits that injuries inflicted to the members of the police party, are simple in nature. Lastly, it has been submitted that the petitioner no. 1 is in custody since 24.01.2023 and petitioner no. 2 is in custody since 25.01.2023, and both have no criminal antecedents. Charge-sheet has been submitted in the case.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount



each to the satisfaction of the learned J.M. 1st Class, Nawada, in
Nardiganj P.S. Case No. 321 of 2022.

(Khatim Reza, J)

premchand/-

U			
---	--	--	--

