

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43542 of 2023

Arising Out of PS. Case No.-80 Year-2023 Thana- ROSHANGANJ District- Gaya

1. SURENDRA KUMAR @ SURENDRA PRASAD SINGH S/O CHANDRADEO PRASAD SINGH R/O Village- Tandwa, Bankey Bazar, P.S- Banke Bazar, Distt.- Gaya.
2. Satendra Yadav S/O Late Chhedi Yadav R/O Village- Barheta, Bankey Bazar, P.S- Banke Bazar, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 353, 427, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, the informant got secret information that stones of Delho Hill is being loaded on the tractor. On this information, the forest officials reached and saw that the petitioners are loading the stones on tractor. It is further alleged that about 15-20 accused persons surrounded the police officials and started using filthy language and assaulted them.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place.



Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. They are not present at the place of occurrence. Nothing has been recovered from the possession of the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Raushanganj (Bankey Bazar) P.S. Case No. 80 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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