

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54962 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- SANDESH District- Bhojpur

1. Vinod Kumar Son Of Gopal Sharan Singh R/O Village- Jogta, P.S.- Chandi, District- Bhojpur
2. Sanjay Kumar Singh Son Of Dineshwar Singh R/O Village- Saripur Bachari, P.S.- Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

2 19-01-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The Petitioners are apprehending their arrest in connection with Sandesh P. S. Case No. 46 of 2022 registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code and BM (CPIMTS) Rules 56 (1)/56(2) amendment Rule, 2020.

As per the prosecution case, the accused persons and other unknown miscreants were engaged in illegal excavation of



sand and a Mahindra Loader Tractor which was being used for the purpose of the said illegal excavation was seized by the police.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners are not named in the F.I.R. The name of the petitioners have been dragged in this case on mere suspicion as the petitioner no. 1 is the owner and the petitioner no. 2 is the driver of the said vehicle. He further submitted that the said vehicle was hired by Maheshwar Ram for the purpose of renovation of his house after demolishing the house and levelling the soil. The petitioners have no concerned with the other accused persons. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

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

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court concerned, Bhojpur at



Ara in connection with Sandesh P. S. Case No. 46 of 2022,
subject to conditions as laid down under section 438(2) of the
Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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