

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62588 of 2023

Arising Out of PS. Case No.-167 Year-2022 Thana- RAJAON District- Banka

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1. TINKU KUMAR @ RAJIV KUMAR SINGH Son of Sachchidanand Singh
RESIDENT OF VILLAGE MAULANACHAK, PS AMARPUR, DISTT-
BANKA
 2. Suman Singh @ Suman Kumar @ Sumit Kumar Son of Bhivishan Prasad
Singh @ Bibhishan Singh R/o vill - Bhadoriya, P.S. - Amarpur, Distt. -
Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Mines and Minerals Department, Govt. of Bihar, Patna/

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar
For the Opposite Party/s	:	Mr. Naresh Dikshit, Spl. P.P.
		Mr. Utsav Anand

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-10-2023 1. Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Rajoun Police Station Case No. 167 of 2022,
disclosing offences under Sections
147/148/149/323/186/332/333/307/353/504/506 of the
Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report,
is that on 23.04.2022, the Station House Officer of
Rajoun Police Station received a secret information and



on that basis arrived at the place of occurrence and intercepted five tractors carrying illegal sand near Rampur Ghat, but the petitioners, along with other accused persons, around fifty in numbers, resorted to firing upon the police party with intention to kill them and also took away five tractors, containing illegal sand, from possession of the police party.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case, along with fifty other accused persons, having general and omnibus allegation. He next submits that no used cartridges have been found near the place of occurrence and no injury has been caused to police personnel.
5. On the other hand, learned counsel for the Mines and Minerals Department submits that there is specific allegation against the accused persons in the First Information Report that they resorted to firing, which was retaliated by the police personnel and during the course of investigation enough materials have come against the petitioners. He further submits that tractors containing sand extracted through illegal mining have also been



snatched from the police party by the petitioners and other accused persons.

6. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation made in the First Information Report and the fact that the petitioners prevented the police party from discharging their official duty and snatched seized tractors from their custody, accordingly, I am not inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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