

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3485 of 2023

Arising Out of PS. Case No.-423 Year-2022 Thana- NAVINAGAR District- Aurangabad

1. ANIL SINGH Son of Subba Singh R/V- Rahna P.S- Barey (o.p) Dist- Aurangabad
2. Raushan Singh @ Raushan Kumar Son of Sri Anil Singh R/V- Rahna P.S- Barey (o.p) Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under sections 147, 149, 341, 323, 379, 353, 307, 504 and 506 of the Indian Penal Code.

As per the FIR, the informant received a tip-off about illegal loading of sand over a tractor which was parked near the house of one Sunil Singh. The informant asked for challan regarding the loaded sand over the tractor but no challan has been produced by the petitioners. It is alleged that when the informant seized the tractor, the petitioners and other 20-25 unknown persons attacked the police team.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no recovery from the conscious possession of the petitioner. He further submits that the petitioners are not the owner of the said truck seized by the police. Petitioner no.1 has two criminal antecedent and petitioner no.2 has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, 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 court below where the case is pending/Successor Court in connection with Nabi Nagar (Barem) P.S. Case No.423 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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