

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1696 of 2023

Arising Out of PS. Case No.-464 Year-2022 Thana- WAJIRGANJ District- Gaya

1. GAGAN SINGH @ GAGAN KUMAR SINGH @ GAGAN KUMAR Son of Vijay Singh Resident of Village- Karisova, P.S.- Wazirganj, District- Gaya
2. MAGAN KUMAR @ MAGAN SINGH Son of Vijay Singh Resident of Village- Karisova, P.S.- Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 353, 379, 504 & 506/34 of the Indian Penal Code, under Section 18/21 (MM & DR) 2019 and under Section 56 MM (D & R) Rules, 2021.

The allegation against these petitioners is that they along with other co-accused are involved in illegal excavating and transporting of sand.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place.



Petitioners have been falsely implicated in this case merely on suspicion. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. As a matter of fact, the petitioners handed over their tractor to their driver to ply on rent. Petitioner no.1 is the owner of the tractor, whereas petitioner no.2 is brother of petitioner no.1. Petitioner no.1 has one criminal antecedent and petitioner no.2 has no criminal antecedent.

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 Wazirganj P.S. Case No.464 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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