

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6697 of 2024

Arising Out of PS. Case No.-751 Year-2023 Thana- BIHAR District- Nalanda

1. Sulendra Kumar @ Surendra Prasad, S/o Nande Yadav, R/o Vill - Nakatpura, P.S. - Bihar, Dist. - Nalanda
2. Guddu Kumar, S/o Shiv Nandan Yadav @ Gani Yadav, R/o Vill - Nakatpura, P.S. - Bihar, Dist. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajbhushan Mishra, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Bihar P.S. Case No. 751 of 2023, registered for the offences under Sections 147, 341, 323, 353, 379, 385, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, a tractor laden with sand was intercepted. While the tractor was being brought to the police station, some miscreants on three motorcycles stopped the tractor and other ante-social elements forcibly took away the tractor and trailer loaded with sand. The police identified the petitioners and other co-accused with the help of their informer



for being involved in the occurrence.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. From the FIR, it is apparent that the petitioners have been named in this case merely on suspicion. Petitioners are neither the owner nor the driver of the vehicles in question including the tractor and motorcycles. Petitioners were not even identified on the basis of photograph or videography. The petitioners have got no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and non-specific nature of allegation against the petitioners and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif/concerned court in connection with Bihar P.S. Case



No. 751 of 2023, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure and other
following conditions:

- (i) One of the bailors will be a close relative of the
petitioners.
- (ii) The petitioners will remain present on each and
every date fixed by the court below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

