

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24703 of 2024

Arising Out of PS. Case No.-158 Year-2023 Thana- HASPURA District- Aurangabad

1. Vijay Paswan S/o Late Parmeshwar Paswan Resident of Village- Chanahat, P.S.Haspura, District Aurangabad
2. Param Paswan @ Paramanand Paswan S/o Budhan Paswan Resident of Village- Chanahat, P.S.Haspura, District Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate.

For the Opposite Party/s : Mr.Ram Naresh Ray, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 02-08-2024 Heard Mr. Binod Kumar Pandey, learned counsel

appearing on behalf of the petitioners and Mr. Ram Naresh Ray,

learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with
Haspura P.S.Case No.158/2023, registered for the offences
punishable under Sections 147, 149, 341, 342, 323, 324, 337,
353, 332, 338 and 427 of the Indian Penal Code.

3. As per the allegation made in the FIR, five named
accused persons and 20-25 unknown accused persons pelted
bricks and stones over the police force and took away the
Tractor, on which the illegal sands were loaded, from the police
custody.

4. Learned counsel appearing on behalf of the



petitioners submitted that the name of the petitioners has surfaced in course of the investigation, on the basis of the information given by the Chaukidar, due to inimical term between them. Petitioners were not involved in the alleged offence. In Para-7 of the bail petition, the petitioners have specifically stated that they are farmers and they have no concern either with the tractor or loaded sand.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, the nature of allegation made in the FIR and the fact that the petitioners in Para-7 of the bail application have specifically stated that they are farmers and they have no concern either with the tractor or loaded sand, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad in connection with Haspura P.S.Case No.158 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C., with further condition



that they may make payment of compounding fee in accordance with the provisions of Rule 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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