

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27595 of 2024

Arising Out of PS. Case No.-143 Year-2022 Thana- CHAKAND District- Gaya

Nand Lal @ Mantu Kumar @ Kumar Mantu Yadav S/O Jagdish Yadav R/O
Mohalla - Newgodam P.S - Kotwali Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Chakand P.S. Case No. 143 of 2022 instituted for the offence
under Sections 147, 149, 341, 323, 379, 307, 353, 504 & 506 of
the Indian Penal Code and Section 21 of the MM(DR), 1957
Rule 56(i) BMC CPIMS, 2019.

3. As per the FIR, the allegation against the petitioner
along with co-accused persons is of pelting stones and bricks
upon the police party when they were trying to stop illegal sand
mining due to which police party got injured. It is further
alleged that the miscreants also took away three tractor with
trolley with them.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18-12-2023. Petitioner bears fourteen criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation attributed to the petitioner rather there is general and omnibus allegation has been levelled against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. It is also submitted that petitioner is neither the owner nor the driver of the tractor nor he has any concern with the tractor. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, charge sheet being submitted and there being no direct allegation against the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Chakand
P.S. Case No. 143 of 2022, subject to the following
conditions:

(I) One of the bailors shall be own/close member of the
family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on
two consecutive dates, the Trial Court will have liberty to
cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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