

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30372 of 2024

Arising Out of PS. Case No.-100 Year-2023 Thana- GARHI District- Jamui

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Pawan Das son of Bhola Das @ Bhola Ravidas Resident of Village- Mahulia
Tar, P.S.- Kowakol, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Adv.

For the Opposite Party/s : Mr.Lalan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.T. No. 95/2024 arising out of Garhi P.S. Case No. 100 of 2023 dated 14.11.2023 registered for the offences punishable u/ss 353, 302, 307, 332, 333, 224, 504, 506, 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant along with two constables received information about illegal sand mining at the ghat of Kiul river. Despite order to stop, the co-accused, Krishna Das who was driver of the tractor, attempted to flee. During that course, the police personnel, Prabhat Ranjan



and Rajesh Kumar Sah were crushed under tractor by the co-accused, Krishna Das. The co-accused along with the petitioner fled away on the tractor threatening the informant. Prabhat Ranjan got severely injured and Rajesh Kumar Sah sustained sever injury. Thereafter, the injured were taken to the hospital where the injured Prabhat Ranjan was declared dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The specific allegation is against the co-accused, Krishna Das and the petitioner has been made accused in this case only with a view to put pressure upon family of Krishna Das as to surrender of Krishna Das in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jamui in connection with S.T. No. 95/ 2024 arising out of Garhi P.S. Case No. 100 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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