

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30159 of 2024**

Arising Out of PS. Case No.-1202 Year-2023 Thana- SHERGHATI District- Gaya

1. Dinesh Kumar Son of Sarayu Yadav @ Saryu Yadav Resident of Village- Shivratipur, Bajaura, P.S.- Dobhi, Dist.- Gaya
2. Sudhram Bhuiyan Son of Madho Manjhi Resident of Village- Shivratipur, Bajaura, P.S.- Dobhi, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Manoj Kumar

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

ORAL ORDER

2      20-05-2024                      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners have preferred this application for grant of anticipatory bail in connection with Sherghati (Dobhi) P.S. Case No. 1202 of 2023, dated 29.11.2023, for the offences punishable under Sections 279, 307, 353, 379, 411 of the Indian Penal Code, section 21 of the MM(D & R) Act and section 56 of the Bihar Minerals (Concession of Illegal Mining Transportation and Storage) Rules, 2019.

3. As per prosecution case, the tractor loaded with 120 CFT of sand without having any valid challan was intercepted by the Mines Inspector. The petitioner no. 2 is the driver of the



said tractor who tried to fled away causing accident of the vehicle of Mines Inspector with intention to kill and fled away.

4. Learned counsel for the petitioners has submitted that the petitioner are innocent and have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The name of the petitioners has surfaced in this case because the petitioners are the owner and driver of the alleged vehicle. Nothing incriminating material has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has deposited total a sum of Rs. 37,780/- and accordingly a receipt has been issued by the concerned authority.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Sherghati (Dobhi) P.S. Case



No. 1202 of 2023, subject to conditions as laid down under  
Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

Ranjeet/-

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