

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31773 of 2024

Arising Out of PS. Case No.-998 Year-2023 Thana- BIHTA District- Patna

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Vivek Kumar @Vivek Yadav SON OF PAPPU YADAV @ RANDHIR KUMAR RESIDENT OF MOHALLA - PAHARPUR, PS- BIHTA, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramakant Singh
For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bihta P.S. Case No. 998 of 2023, G.R. No. 5468/2023 dated 15.10.2023 registered for the offence punishable u/ss 379, 411, 147, 149, 353, 506, 354, 224 and 225 of the Indian Penal Code.

3. As per the prosecution case, the four tractors loaded with sand were parked in the Muslim Raghapur village. Upon verification, the informant found three tractors overloaded with sand on the road. Despite efforts, the informant couldn't locate the owner/driver. The informant further informed the patrolling of Bihta Police Station team to take the tractors to the station. The surpanch Vivek Yadav (petitioner) accompanied by 40



people arrived from Taranagar Panchayat, and abused and caused disturbance in discharging public duty and forbade police to take the tractors. They managed to flee with tractors despite police interference.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner has no concern with the alleged occurrence. He is not the owner of those vehicles. The petitioner has been mentioned as Sarpanch of Taranagar panchayat whereas Smt. Seema Kumari is the Sarpanch of the said panchayat.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned court concerned, Danapur in connection with Bihta P.S. Case No. 998 of 2023, G.R. No. 5468/2023, 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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