

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37616 of 2024

Arising Out of PS. Case No.-302 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

Ridhi Chaudhary Son Of Suryanath Singh Village -Wajirganj, PS -Sasaram
(M), Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-07-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Sasaram (M) PS case no. 302 of 2019, disclosing offences punishable under Sections 427, 332, 353, 147, 148, 149 of the Indian Penal Code and Sections 33 and 41 of Forest Act, 1927.
3. The prosecution story, as per the First Information Report lodged by the Forest Guard of Darigaon forest area, is that two tractors were found carrying illegal stones, mined from the forests and when they were intercepted, drivers of the tractors left the tractors on the spot. It has further been alleged that several persons assembled there, started pelting stones on the forest personnel and took away the tractors from the place of



occurrence. The petitioner has been named as one of the accused persons who took away tractors and has been alleged to be the owner of the tractors.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of disclosure of his name by the departmental labours and drivers. He further submits that petitioner is not the owner of the tractors, as is evident from paragraph no. 11 of the bail application. He also submits that co-accused Sanjay Kumar Gupta @ Birappan has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 22.07.2020, passed in Cr. Misc. no. 21407 of 2020. Learned counsel also submits that since the petitioner was not having any knowledge about his involvement in the present case, he has filed bail application only when the Police approached him recently in order to arrest him.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner has claimed that he is not the owner of the tractors and his name has transpired on the basis of disclosure made by the departmental labours as also the fact that similarly situated co-accused person has already been granted



anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) PS case no. 302 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

U		T	
---	--	---	--

