

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46202 of 2023

Arising Out of PS. Case No.-570 Year-2022 Thana- JAMUI District- Jamui

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Raja Yadav Son Of Puran Yadav Resident Of Village - Manjhway, Police
Station - Jamui, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

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

ORAL ORDER

3 10-01-2024 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any,

within a period of three weeks from today.

2. Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Jamui P.S. Case No. 570 of 2022 dated

03.11.2022 registered for the offence punishable u/ss 188,

353, 341, 323, 307, 224, 225, 279, 420, 379, 411, 120B of

the Indian Penal Code and u/s 27 Arms Act, u/s 21 MMDR

56(ii) Bihar Mining Act.

4. As per the prosecution case, the informant was



deputed as Officer of controlling and checking illegal carriage of sand, gitti and liquor and on 03.11.2022 at about 5:15 P.M., he was on duty at Chhatuthnama, in the meantime, he saw that two tractors loaded with sand were coming from Manjhway and when the informant tried to stop them, then both drivers of the tractor in order to kill the informant and his other associates drove the tractor rashly towards them and when the police personnel tried to restrain the tractors, other villagers came there with *lathi* and *danda* and they started scuffling with police party and the informant and in the course of scuffle, some of the police personnel became injured, and villagers forcibly took away the apprehended persons. It is further alleged that on the information of the informant extra police force came at the P.O., then the petitioner and the other co-accused persons started firing on the police personnel and they fled away. Both the tractors were seized by police, on which, 110 cubic feet sand were loaded. Two empty cartridges were also recovered from the P.O. Chawkidar namely, Shankar Paswan and other spy of the police have disclosed the name of the miscreants including the petitioners.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that there is general and omnibus allegation against the petitioner. Learned counsel has further submitted that the petitioner is neither the owner nor the driver of the said tractors. It is further submitted that the doctor who examined police constable, found all injuries on non-vital part of the body. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

7. 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, Jamui in connection with Jamui P.S. Case No. 570 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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