

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46989 of 2024

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

1. Ramesh Yadav Son Of Bhagwatinand Yadav R/O- Ghodatap, Ekbalganj, Nisarpura, P.S.- Bihta, Distt.- Patna
2. Pappu Saw Son Of Tetar Saw R/O- H No. 8, Ekbalganj, Nisarpura, P.S.- Bihta, Distt.- Patna
3. Rambabu Saw Son Of Vigan Saw R/O- Ekbalganj, Nisarpura, P.S.- Bihta, Distt.- Patna
4. Devchandra Saw Son Of Kushar Saw R/O- Ekbalganj, Nisarpura, P.S.- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bihta P.S. Case No. 998 of 2023 dated 15.10.2023 registered for the offence punishable u/ss 379, 411, 414, 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 Raghopur 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 co-accused, surpanch Vivek Yadav 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 petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioner nos. 1 and 3 are the owner and the petitioner nos. 2 and 4 of the driver of the said vehicle. The petitioners have no concern with the alleged occurrence. Learned counsel has further submitted that the name of the petitioners has not been specifically mentioned in the F.I.R. The co-accused person has already been granted regular bail by this court vide order dated 22.05.2024 passed in Cr. Misc. No. 31773 of 2024. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances



of the case, 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, Danapur in connection with Bihta P.S. Case No. 998 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)

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