

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55622 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- SIKARHATTA District- Bhojpur

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1. Ganga Sagar Yadav S/O Satyadeo Yadav R/O Village-Shrawanpur Surahi,PS-Narahi,Distt-Ballia
 2. Santosh Yadav S/O Sri Ram Yadav R/O Village-Zirabasti,PS-Sukhpura,Distt-Ballia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Sikarhatta P.S. Case no. 38 of 2024, registered under sections 379 and 411 of the Indian Penal Code.

3. As per the prosecution case, two trucks loaded with illegally mined sand were seized, however the drivers of both the trucks managed to escape.

4. Learned counsel for the petitioners submits that the F.I.R was registered against the drivers and the owners of the two trucks in question. Further referring to the order of the learned trial Court it is submitted that from perusal of the same it would clearly be evident that the owner of the two trucks is



one Sunil Kumar Rai and the two petitioners herein are the drivers of the vehicles. The allegations as levelled in the F.I.R are denied. In any case of the matter, it is a case of the petitioners that they were illiterate persons who are driving the trucks on the instruction of their owner. The petitioners have no criminal antecedent and undertake to cooperate in the case.

5. The application for bail is opposed by learned APP for the State who submits that the petitioners are resident of Uttar Pradesh and once they are enlarged on bail, they will not permit the case/trial to proceed.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners in the F.I.R. together with them having no criminal antecedent, it is directed that both the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Sikarhatta P.S. Case no. 38 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Bhojpur at Ara on the following conditions :-

(1) One of the bailors of the petitioners shall be a



close relative of the petitioners.

(2) The petitioners shall remain properly represented on each date of the case/trial and shall cooperate in the case. In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of either of the petitioners, the learned trial Court may cancel the bail bond of the petitioners and take them into custody.

(Partha Sarthy, J)

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