

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57670 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- SIKARHATTA District- Bhojpur

1. Gulshan Pandey @ Gulshan Kumar S/o Ajay Pandey R/o vill - Sikraul, P.S. - Sikrahata, Distt - Bhojpur
2. Biru Pandey @ Biru Kumar Pandey S/o Sri Nivash Pandey R/o vill - Sikraul, P.S. - Sikrahata, Distt - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ravindra Kumar
For the Opposite Party/s :	Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 342, 323, 337, 353, 379, 504, 506 of the Indian Penal Code.

3. The allegation against the petitioners is that they are involved in illegal mining and transportation of mines and minerals. They are also alleged to have disrupt Government work and attacked and abused the Government employees.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submitted that as per the FIR the occurrence took place on 04.04.2024 at 12.00 hour and the FIR was lodged at 6:30 p.m. and the said FIR was sent to the Court below on 09.04.2024 i.e. after a delay of about five days, which creates a serious doubt over the genuineness of the present case. Petitioner no.1 has no criminal antecedent and petitioner no.2 has two criminal antecedents, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor



Court in connection with Sikarahatta P.S. Case No.41 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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