

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63159 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- SANDESH District- Bhojpur

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1. Sanjay Singh Son of Subhag Singh Resident of Village -Ratanpur, PS-Chandi, District- Bhojpur
 2. Raghvendra Singh Son of Birendra Singh Resident of Village -Ratanpur, PS-Chandi, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, APP

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 04-10-2024 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. The petitioners apprehend their arrest in connection with Sandesh P. S. Case No. No. 155 of 2024 dated 05.06.2024 registered for the offence(s) punishable under Section(s) 379, 411, 414, 120B of the Indian Penal Code and Sections 192 and 194 of M.V. Act.
3. The main submissions advanced by the learned senior counsel for the petitioners are that the petitioner no. 1 is the owner of the alleged tractor and petitioner no.2 was the driver of the said vehicle at the time of the alleged occurrence, in fact, as per prosecution story, the tractor of petitioner no. 1



was found carrying Sone sand but there is no allegation of having extracted the sand illegally from the Sone river, so, the alleged offence under Section 379 as well as other offences of Mines and Minerals (Development and Regulation) Act do not attract against the petitioners. It is further submitted that both the petitioners have fair and clean antecedent and they have been made accused merely on the basis of suspicion and in a similar type of matter, the co-ordinate bench of this court has granted anticipatory bail to the accused in that case and in this regard, an order passed in Cr. Misc. No. 46989 of 2024 may be perused.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the facts and circumstances of this case as well as above submissions and coupled with the fair and clean antecedent of the petitioners, this court is inclined to accept the anticipatory bail prayer of the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Sandesh P. S. Case No. No. 155 of 2024 on furnishing bail bond of Rs.20,000/-(Twenty Thousand) each



with two sureties of the like amount each to the satisfaction of
the Court concerned, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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