

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68603 of 2024

Arising Out of PS. Case No.-121 Year-2024 Thana- PAKARIBARAW District- Nawada

1. Mani Kumar S/o Dilip Yadav R/o Village- Pakribrawan, P.S.- Pakribrawan, District- Nawada
2. Gautam Kumar S/o Shivblak Prasad Yadav R/o Village- Pakribrawan, P.S.- Pakribrawan, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147,149,386,353,379 and 504 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of one case under Sections 323, 324 and 379 of the I.P.C. and the informant alleges that on 07.03.2024, when he along with the police force were on routine patrolling duty, when they received secret information that one



tractor laden with illegal sand was going to pass through the area, accordingly, the force reached near the spot and they saw a tractor laden with sand coming, which was stopped and relevant documents was asked for, when 10-12 accused persons came on 5-7 motorcycles and started scuffling with the police force and also abused them and before the back up force could come, the accused persons forcibly took away the seized tractor from the police custody. Further, on verification from local *Chaukidar*, the name of the petitioner transpired. It is next alleged that whenever any vehicle is apprehended carrying illegal sand, the accused persons reaches the spot and get the vehicle released forcefully by attacking the police party.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant at the behest of Chaukidar with whom petitioner no.2 is on an inimical term. It is next submitted that petitioners reside in the same village near the place of occurrence and as such, out of inquisitiveness had come place of occurrence to witness as to what was happening, when they came to be implicated. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.



5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-X, Nawada in connection with Pakribarawan P. S. Case No.121 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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