

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67580 of 2024

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

Nirala Pandey Son of Sanjay Pandey Resident of Village- , Sikraul , P.S
-Sikrahata, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Ms.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 223-10-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Sikarhatta Police Station Case No. 41 of 2024, dated 04.04.2024, disclosing offences punishable under Sections 147/148/149/342/323/337/353/379/504/506 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report lodged by the Mines Inspector, Bhojpur, is that at about 05:15 AM on 04.04.2024, the informant along with police force, in order to prevent illegal mining and transportation, stopped six trucks near Piro-Bihta Road, loaded with sand, and started checking the challans and other documents, in the mean time, 40-50 miscreants,



along with the petitioner, misbehaved with the informant and others and also assaulted them by means of bricks, lathi, danda, etc and freed the trucks from the custody of the Mines Department.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village politics at the behest of the Chowkidar. He further submits that the petitioner was not present on the alleged date at the place of occurrence and the video recording done by the informant will also go to show that the petitioner was not present at the place of occurrence. He further submits that similarly situated co-accused persons, namely, Gulshan Pandey and Biru Pandey, has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 11.09.2024, passed in Criminal Misc. No. 57670 of 2024.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that similarly situated co-accused persons has been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.



7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, Bhojpur, at Ara, in connection with Sikarhatta Police Station Case No. 41 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

