

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76431 of 2024

Arising Out of PS. Case No.-300 Year-2020 Thana- BELAGANJ District- Gaya

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Pankaj Kumar @ Pankaj Yadav S/o Lakhan Yadav R/o Village- Kanchanpur
Tola- Maulwichak, P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-11-2024 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 Belaganj Police Station Case No. 300 of 2020, disclosing offences under Sections 147, 148, 149, 341, 323, 353, and 385 of the Indian Penal Code.

3. As per the First Information Report, is that on 15.09.2020 at 12:30 AM, the petitioner along with other named accused persons, being armed with iron rod and other weapons, came at new petrol pump situated on NH-83. It is alleged that petitioner along with co-accused Rakesh Yadav forcibly took away truck No. BR-25C/9221, laden with illegal sand.



4. Learned Counsel for the petitioners submit that the petitioner has falsely been implicated in this case due to dirty village politics. It is further submitted that petitioner is not engaged in any illegal business of sand and he has no concern with the alleged sand and truck. He further submits that the similarly situated accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 15782 of 2021 and Cr. Misc. No. 42498 of 2021. The petitioner is stated to be having clean antecedent.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that there is general and omnibus allegation against the petitioner, the truck laden with illegal sand does not belong to the petitioner and the similarly situated accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate, XIII, Gaya in connection
with Belaganj Police Station Case No. 300 of 2020 subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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