

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78426 of 2023

Arising Out of PS. Case No.-166 Year-2023 Thana- CHANDI District- Bhojpur

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1. JYOTI SINGH @ SHAIENDRA SINGH @ JUGATI SINGH Son of Mahendra Singh R/o vill - Khangaon, P.S. - Chandi, Distt. - Bhojpur
 2. Chand Miyan @ Chand Ali @ Md. Ekabal Sique Son of Ahmad Miyan R/o vill - Khangaon, P.S. - Chandi, Distt. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-01-2024

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Chandi PS Case No. 166 of 2023 dated 22.06.2023 registered under Section 379, 188 and 411 of the I.P.C.

3. The F.I.R. was lodged by the S.H.O. of Chandi Police Station alleging that on 22.06.2023 in the morning he left the Police Station for patrolling. When he reached near Sone river, he saw that labourers were loading tractors with sand. Upon seeing the Police party, the labourers fled away from the place of occurrence and the informant found three tractors loaded with sand were parked near Bishunpur Ghat. The local



Chaukidar and residents disclosed the name of the petitioners and others that they were stealing sand from the river.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case on the basis of disclosure of their name by local Chaukidar. There is no material to connect the petitioners with the present offence and the petitioners are having no criminal antecedent. Learned counsel further submits that similarly situated co-accused persons have been granted anticipatory bail by the learned district court itself in ABP Nos. 1919 of 2023 & 1949 of 2023.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioners are having no criminal antecedent and similarly situated accused persons have been granted bail by learned district court, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, 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. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. VI, Bhojpur at Ara in connection with Chandi PS Case No. 166 / 2023 subject to the condition as laid down under



Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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