

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2941 of 2025

Arising Out of PS. Case No.-86 Year-2019 Thana- BARUN District- Aurangabad

1. Rakesh Kumar S/O Ramjanam Singh R/O Village- Khaira, P.S.- Barun, District- Aurangabad
2. Raman Singh S/O Late Basudev Singh R/O Village- Khaira, P.S.- Barun, District- Aurangabad
3. Alok Singh S/O Jawahar Singh R/O Village- Khaira, P.S.- Barun, District- Aurangabad
4. Munna Kumar S/O Umesh Singh R/O Village- Khaira, P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2025 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, 341, 323, 186, 333, 379, 353, 307, 420, 411, 504, 506 and 427 of the Indian Penal Code and Sections 4 and 40 of the Bihar Minor Mineral Concession Rules, 1972 and Section 15 of the Environment Protection Act.

3. The learned counsel for the petitioners submits that the petitioner nos.1, 2 and 4 are persons with clean antecedent



and petitioner no.3 has antecedent of one case and the informant alleges that on 07.04.2019 at about 5.55 P.M., the informant received secret information about illegal mining of sand. Accordingly, he reached the place of occurrence where 19 named and 150 unknown accused persons including the petitioners were present and they started assaulting the police personnel with iron rod, lathi bricks and stones and helped the loader machine and trucks to get away from the place of occurrence.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is further submitted that apart from petitioner no.4, none of the petitioners were named in the FIR and subsequently, they have been implicated during the course of investigation.

5. Learned A.P.P. opposes the anticipatory bail application and submits that the case is of the Year 2019 and the petitioners are seeking bail in the Year 20-25 on which the learned counsel appearing on behalf of the petitioners submits that petitioners were not even aware that they have been implicated nor police at any point of time made any endeavour to arrest the petitioners. It is further submitted that even police did not apply for process under Section 82 and 83 Cr.P.C. which



amply demonstrates that even police was aware that petitioners have been falsely implicated in the instant case.

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. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Barun P. S. Case No.86 of 2019, 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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