

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2967 of 2025

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

Shrawan Kumar Pandey Son of Late Shivpujan Pandey Resident of Village -
Chhotka More, Nirmalpur, Police Station - Sasaram (M), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-01-2025 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 under Sections
147/148/149/342/323/337/353/379/504/506/341/332/384/
386/120B 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 meantime, 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 not named in the First Information Report and his name has transpired during the course of investigation at the instance of his enemies due to village politics. He next submits that the petitioner was not present at the place of occurrence on the alleged date. He further submits that similarly situated co-accused persons, who are named in the FIR have been granted anticipatory bail by this Court in Cr. Misc. No. 67580 of 2024, Cr. Misc. No. 82321 of 2024 and from Co-ordinate Bench of this Court in Cr. Misc. No. 57670 of 2024 as annexed at Annexure-2 series.
5. Learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that video recording done by the informant goes to show that the petitioner was present at the place of occurrence.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the similarly situated named co-accused persons have been granted bail by this Court, I am inclined to grant the petitioner



privilege of anticipatory bail.

7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 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)

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