

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13119 of 2025

Arising Out of PS. Case No.-129 Year-2024 Thana- KAJRA District- Lakhisarai

1. Sajjan Singh @ Sajjan Kumar Son of Late Yogendra Singh Resident of Village-Narottampur, Shrishna Chhotki Mushahri, P.S- Kajra, Distt.-Lakhisarai
2. Sooraj Singh @ Sooraj Kumar Son of Late Yogendra Singh Resident of Village-Narottampur, Shrishna Chhotki Mushahri, P.S- Kajra, Distt.-Lakhisarai
3. Bano Manjhi @ Brahmdev Manjhi Son of Bhuneshwar Manjhi Resident of Village-Narottampur, Shrishna Chhotki Mushahri, P.S- Kajra, Distt.-Lakhisarai

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Madhav Raj, Advocate
For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-05-2025 Petitioners apprehend arrest in connection with Kajra P.S.Case No.129 of 2024 registered for the offences punishable under Sections 115(2), 126(2), 109, 132, 120(2), 121(2), 324, 329(2), 303, 351(3), 352 and 3(5) of Bharatiya Nyaya Sanhita, 2023.

2. As per the allegation made in the First Information Report, which has been lodged by the forest official, a tractor with trailer, without number, loaded with chips was seized and had been brought in the premises of Forest Department, Kajra for verification and necessary action. In the meantime, 12 to 15



persons jumped into the premises and started abusing the informant and other officials of the Forest Department. Meanwhile, petitioner no.1, personalized himself to be PACS chairman, asked the informant to release the tractor and trailer. On refusal by the informant, petitioner and other accused persons assaulted the officials with lathi, danda and iron rod. It is further alleged that petitioner no.1 with the help of his brother Sooraj Singh (petitioner no.2) and other accused persons started the tractor and forcibly took away the seized Tractor with trailer loaded with chips. Said tractor was having no registration number. Petitioner no. 1 is also alleged to have threatened the informant to prevent himself from informing police and not to seize his vehicle in future, otherwise they would be killed. Accused persons also snatched Rs.10,000/- from the informant and damaged his mobile phone.

3. Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Petitioners are neither owner nor driver of the tractor in question. Allegation appears to be motivated, as no one can dare to enter into the premises of the Forest Department and forcibly took away the seized tractor. Similarly situated co-accused Anant Kumar has already been allowed pre-



arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No. 10526/2025.

4. Learned counsel for the State opposes the prayer for bail. He submits that petitioners are named in the FIR with specific allegation that these petitioners along with other accused persons were engaged in illegal excavation of sand, soil and chips and when officials of Forest Department seized the unnumbered tractor with trailer filled with chips and brought the same to the premises of the Forest Department for its verification and further action, in the meantime surprisingly petitioners and other accused persons jumped into the office premises, assaulted the officials and took away the seized tractor and the trailer. Petitioner no.1 is Chairman of PACS and has got three criminal antecedents.

5. Heard learned counsel for the petitioners as well as learned counsel representing the State.

6. Though, petitioners may not be owner of the seized tractor, in the entire bail petition, no reason has been assigned as to why petitioners have falsely been implicated in this case. Petitioner no.1 appears to be a local leader claiming himself to be a Chairman of PACS and a habitual offender, as it has also not been explained as to why petitioner no.1 has been



implicated in three other criminal cases, out of which 2 cases have been filed by the officials of Forest Department itself. Petitioner no.2 is brother of petitioner no.1 and he too is alleged to be involved in the offence along with other accused persons. Petitioners have taken law in their hands by attacking the informant and other officials and threatening them with dire consequences.

7. Considering the nature of offence that petitioners have committed by forcibly entering into the premises of Forest Department and by taking law in their hands, involved themselves in an attack on the officials when they were on official duty of law enforcement, and took away the seized tractor and trailer loaded with illegal chips, petitioners cannot claim parity with co-accused Anant Kumar who has already been allowed pre-arrest bail by a co-ordinate bench of this Court.

8. Accordingly, prayer for pre-arrest bail of the petitioner is rejected.

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(Prabhat Kumar Singh, J)

