

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12403 of 2025

Arising Out of PS. Case No.-752 Year-2024 Thana- WAJIRGANJ District- Gaya

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1. Shailesh Singh Son of Ravindra Singh village- Dakhinganwa, Ps- Wazirganj, Dist- Gaya
 2. Randhir Kumar Son of Krishnadeo Singh village- Arhwan, Ps- Wazirganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-05-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Wazirganj P.S. Case No. 752 of 2024 for the offence under sections 126, 115(2), 132, 351(2), 303(2), 317(2) and 3(5) of the BNS lodged on 09.10.2024 by the informant, Manoj Kumar.

3. As per the prosecution story, the informant alleged that the during patrolling duty, upon secret information, a tractor loaded with sand was intercepted. As it was being driven to the Police Station, the accused came there and tried to take away the tractor and in the scuffle also



assaulted the Policemen. As the additional force came, they escaped. This led to the FIR.

4. Learned counsel for the petitioners submit that they were carrying the sand bonafidely, in any case, the amount of Rs. 35650/- has been deposited vide e-challan on 25.10.2024 before the District Mines Office, Gaya (paragraph-7 of the petition), they are ready to face the consequences/trial and the last submission is that without accepting the allegation and/or the outcome of the present case, intends to contribute Rs. 10,000/- by the petitioner no. 1, Shailesh Singh and Rs. 5,000/- by petitioner no. 2, Randhir Kumar towards beautification/purchase of flower pots for the Wazirganj Police Station through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that they have prohibited the Policemen from doing their duty and the tractor was also found carrying illegal sand.

6. Taking into account the submissions of the parties as also that the FIR has been lodged, payment made, the petitioner shall face the music, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions subject to payment of Rs. 15,000/- for the



beautification/purchase of flower pots for Wazirganj Police Station, Gaya through Demand Draft issued in the name of S.H.O. by the local branch of the State Bank of India.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM-XIII, Gaya in connection with Wazirganj P.S. Case No. 752 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioners shall desist from committing any
criminal offence again, failing which the State shall be at
liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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