

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27222 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- BARABAR TOURIST District- Jehanabad

Lalan Yadav Son of Kailash Yadav Resident of village - Bhalua Tola,
Delelchak, P.S.- Belaganj, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjeet Kumar, A.S.I. Belaganj Thana, Gaya Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Barabar Prayatak P.S. Case No. 90 of 2024 for the offence registered under sections 191(1), 190, 126(2), 115(2), 109, 121(a), 121(2), 132, 303(2), 317(2) of BNS lodged on 23.09.2024 by the informant, Ranjit Kumar.

3. As per the prosecution story, the informant alleged that during patrolling, received information about illegal transportation of sand. A loaded tractor was intercepted but two persons on motorcycle used iron rod to attack the Police causing injuries. The accused however, escaped leaving behind the motorcycle and the tractor. This led to the FIR.



4. Learned Counsel for the petitioner submits that he owns the tractor, was not present at the spot, he had no information about the movement of the driver, the amount of the sand, Rs. 27,665/- has been deposited and further to show his bonafide, would like to contribute Rs. 5,000/- to each (totaling Rs. 15,000/-) towards medical treatment of Ram Babu Kumar, Dhaneshwar Kumar and Raj Kishore Sah, the Policemen who were injured and the Doctors have found the injuries to be simple in nature.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that not only there was illegal transportation of sand, the assault has also taken place.

6. Considering the submissions of the parties, the petitioner is the owner of the tractor, the allegation is there against the driver and the two unknown persons who were present and assaulted the policemen, the sand amount has been deposited and the petitioner intends to diligently appear in trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 5,000/- each to Ram Babu Kumar, Dhaneshwar Kumar as also Raj Kishore Sah (totaling Rs. 15,000/-) as undertaken by the



learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court and the amount shall go to the three Policemen named above wherever they are posted at present.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Jehanabad in connection with Barabar Prayatak P.S. Case No. 90 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner 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 his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark attendance;



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

(Rajiv Roy, J)

Vijay Singh/-

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