

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31954 of 2025

Arising Out of PS. Case No.-157 Year-2024 Thana- GARHI District- Jamui

1. Mantu Yadav @ Mantu Kumar Yadav Son of Ramji Yadav @ Ramjee Yadav Resident of Panbharwa, P.S.- Garhi, District - Jamui.
2. Sumesh Kumar Son of Ramji Yadav @ Ramjee Yadav Resident of Panbharwa, P.S.- Garhi, District - Jamui.
3. Pramod Kumar Yadav Son of Shankar Yadav Resident of Panbharwa, P.S.- Garhi, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Garhi P.S. Case No. 157 of 2024 registered on 25.12.2024 for the offences under Sections 191(2), 191(3), 26(2), 115, 109, 132, 121(ii), 121(2), 352 and 351(2) of the B.N.S.

3. As per prosecution case, a tractor loaded with sand was left behind by a person on seeing the police party. While this tractor was being taken to the police station, it was surrounded by 15-20 persons. While the police party was trying to convince the mob, one person from the mob climbed on the



vehicle and threatening the police personnel tried to take the tractor towards the village and unloaded the sand. Thereafter, the said person fled away. The petitioner no.1 Mantu Yadav is stated to be the person who tried to take away the tractor from the possession of the police party and the name of the other petitioners transpired during investigation for also being involved in the said occurrence.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioner no.1 has got no connection with the said tractor and loaded sand and the petitioner no.2 is the owner of the tractor and petitioner no.3 is the driver of the tractor. Learned counsel further submits that petitioners were having valid challan for mining of the sand and transportation of the same and for this reason no offence is made out against them. The allegation of obstruction in government work is false and fabricated no one interrupted the police proceeding. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail submitting that there is specific allegation against petitioner no.1 that he tried to escape with the tractor loaded with sand.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the serious nature of allegation against **petitioner no.1 Mantu Yadav @ Mantu Kumar Yadav**, I do not think it is a fit case for grant of anticipatory bail to **petitioner no.1 Mantu Yadav @ Mantu Kumar Yadav**.

7. Accordingly, the prayer for anticipatory bail of **petitioner no.1 Mantu Yadav @ Mantu Kumar Yadav** is rejected.

8. However, considering the remoteness of allegation against petitioner nos. 2 and 3 and also considering the existence of valid challan for transportation of sand, let the **petitioner nos.2 & 3 Sumesh Kumar and Pramod Kumar Yadav**, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st Class, Jamui/concerned court in connection with Garhi P.S. Case No. 157 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the



**petitioner nos.2 & 3 Sumesh Kumar and
Pramod Kumar Yadav.**

(ii) The **petitioner nos.2 & 3 Sumesh Kumar and
Pramod Kumar Yadav** will remain present on
each and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

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