

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53682 of 2025

Arising Out of PS. Case No.-947 Year-2024 Thana- GAYA MUFASIL District- Gaya

CHULBUL PANDEY @ MANISH KUMAR @ CHULBUL PANDE S/O
RAMJEE DAS R/o Village- Bhadeja, PS- Mufassil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Mufassil P.S. Case No. 947 of 2024 instituted for the offences under Sections 190, 191(2), 191(3), 109, 303(2), 317(2), 317(4), 317(5), 111, 125, 132, 121(1), 121(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Prosecution case, in short, is that on a secret information of extracting sand by the sand mafia, the police conducted raid at the bank of Falgu river and apprehended six persons on the spot with 21 tractors loaded with sand and one Hero Honda motorcycle.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of disclosure made by the apprehended co-accused person. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that from perusal of the FIR itself, it is evident that the petitioner was not present at the place of occurrence and, as a matter of fact, he is nowhere involved in the illegal mining of sand from the river. It has been submitted on behalf of the petitioner that the petitioner has five criminal antecedents. The co-accused person has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 18.06.2025 passed in Cr. Misc. No. 35517 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also claim based on parity, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of Court below/concerned Court in connection with
Mufassil P.S. Case No. 947 of 2024, subject to the conditions as
laid down under Section 482(2) of the Bharatiya Nagarika
Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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