

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55373 of 2024**

Arising Out of PS. Case No.-434 Year-2023 Thana- CHAKAND District- Gaya

=====

SUNNY KUMAR S/O BINOD YADAV R/O VILLAGE- KANDI NAWADA,  
P.S- CHAKAND, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

2      17-01-2025                      Heard learned counsel appearing on behalf  
of the parties.

2.            The    petitioner    apprehends    arrest    in  
connection with Chakand P.S. Case No.434 of 2023 registered  
for the offence under Sections 147, 148, 149 341, 323, 307, 353,  
337, 338, 379, 427, 504, 506 and 413 of the Indian Penal Code  
and Section 21MM (D&R) and Section 56 of BM (CPIMTS)  
Act.

3.            The prosecution case as merging from the  
FIR is that three tractors loaded with 125 Cft. Illegal sand were  
seized by the police and while arranging for alternative drivers  
for taking said tractors to the police station, local people  
including the petitioner gathered and started abusing and pelting



stones over the police personnel, due to which they sustained injuries and government vehicles were also got damaged.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in the present case. It is submitted that altogether 24 persons are made accused in the present case. It is submitted that no specific allegation has been levelled against this petitioner rather the allegation has been levelled against him is general and omnibus in nature. It is submitted that similarly situated co-accused persons have already been granted bail by a learned co-ordinate Bench of this Court through Cr. Misc. No.27417 of 2024 on 20.05.2024. It is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner and similarly situated co-accused persons have already been granted bail by a learned co-ordinate Bench of this Court, where, case of the petitioner is identical to that case, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the trial court within a



period of six weeks from today on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Xth, Gaya in connection with Chakand P.S. Case No.434 of 2023 subject to the condition laid down under Section 438(2) of Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners has any criminal antecedents, learned Court below shall cancel the bail bonds of the petitioner after hearing them and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

**(Ramesh Chand Malviya, J)**

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