

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81533 of 2024**

Arising Out of PS. Case No.-745 Year-2023 Thana- GARKHA District- Saran

1. Vikas Kumar Son of Dhaneshwar Rai Resident of Village- Sabalpur (Mahua Tola), P.O. and P.S.- Sonepur, Distt.- Saran
2. Suman Kumar Son of Krishna Mahto Resident of Village- Kothia Navao, P.O.- Kothia, P S Avtar Nagar, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shiv Shankar Prasad Yadavadv, Advocate  
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      28-04-2025                      1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Garkha P.S. Case no.745 of 2023 registered under sections 307, 147, 149, 323, 353, 120B, 504, 506, 188, 379 and 411 of the Indian Penal Code.

3. As per the prosecution case, a secret information having been received that some persons were illegally transporting sand. The police party conducted raid and found 5-6 trucks and several persons involved in loading the sand. It is further alleged that the police party were also assaulted by the F.I.R. named persons who are as many as 10 in number along



with 50 unknown persons.

4. Learned counsel for the petitioners submits that the petitioners are not named in the F.I.R. The name of the petitioners have transpired during course of investigation on the ground that petitioner no. 1 happens to be the owner of the seized vehicle and petitioner no. 2 is said to be the driver of one of the seized trucks. Learned counsel for the petitioners further submits that the petitioners had nothing to do with the said offence as they have been falsely implicated in the present case. Learned counsel has drawn the attention of this Court to paragraph no. 7 of the petition that the petitioner no. 1 Vikash Kumar was even hospitalized from 16.12.2023 to 22.12.2023 due to massive accident with the bike and the medical treatment documents are annexed as Annexure-P/2 to the application. Injury report is available along with the case diary which shows that the injury of one Nirmal Kumar Gupta is found to be simple in nature. The petitioners have no criminal antecedent and undertake to co-operate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the entire facts and circumstances of the case, it is directed that the petitioners, above named, in the event



of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Garkha P.S. Case no.745 of 2023 on each of them furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-IV, Saran at Chapra, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

