

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16710 of 2026

Arising Out of PS. Case No.-330 Year-2022 Thana- RAJAON District- Banka

Mandhir Yadav Son of Arbind Yadav Resident of Dayalpur P.S -Rajoun, Dist-
Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2026 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 323, 186, 332, 333, 353, 504 and 506 of the I.P.C. and
Section 27 of the Arms Act..

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that on receiving information regarding illegal sand mining, the
police force reached the place of occurrence and seized two
tractors loaded with sand, but drivers fled, thereafter, petitioner
along with eleven sand mafias came and started firing and
manage to free one of the tractor.

4. Learned counsel appearing on behalf for the



petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is next submitted that perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation is alleged against the petitioner, it is further submitted that specific allegation of firing is against the named accused persons. It is also submitted petitioner is not the owner of any of the seized tractor.

5. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad vehemently opposes the anticipatory bail application and submits that though the petitioner is not alleged to have made firing, but then the informant who is a police officer alleges that two tractors loaded with sand were seized and when the same were being brought to the police station when the force was intercepted by the sand mafia including the petitioner and named accused persons resorted to firing based on which one of the seized tractor was freed, it is thus submitted that petitioner might not have fired but then his presence at the place of occurrence emboldened other accused persons also to commit the occurrence, it is next submitted that if privilege of anticipatory bail is granted to an accused who is involved in a case prior to institution of the instant FIR that will also lead to lowering the morale of the police.



6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. **The application stands rejected.**

(Satyavrat Verma, J)

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