

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47359 of 2026

Arising Out of PS. Case No.-621 Year-2023 Thana- JAMUI District- Jamui

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1. Arun Kumar Yadav @ Arun Yadav S/O Bahadur Yadav @ Bihari Yadav R/O Village- Manjhwe, PS- Jamui, Distt- Jamui
 2. Manoj Yadav S/O Vilash Yadav @ Cheta Yadav R/O Village- Manjhwe, PS- Jamui, Distt- Jamui
 3. Rajo Yadav S/O Mahendra Yadav R/O Village- Manjhwe, PS- Jamui, Distt- Jamui
 4. Surendra Yadav S/O Naresh Yadav R/O Village- Manjhwe, PS- Jamui, Distt- Jamui
 5. Dhano Yadav S/O Prayag Yadav @ Paryag Yadav R/O Village- Manjhwe, PS- Jamui, Distt- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mining and Minerals Deptt. through the Principal Secretary, Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhuresh Singh, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioners and

the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Jamui P.S. Case No. 621 of 2023, for allegedly having committed offence under Sections 147, 148, 149, 341, 323, 332, 186, 353, 379, 411, 307 and 504 of the IPC, Section 21 of MMDR and Section 56(2) of the Bihar Mineral Act.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the



informant to the effect that while he was on patrolling duty, he found a red colour tractor loaded with sand approaching from Navinagar side. When the said tractor was directed to be stopped, the driver of the tractor managed to escape. The informant and other police party waited for the Challan of the tractor. However, in the meantime the petitioner and other co-accused persons named in the first information report, along with 10-15 unknown persons came there and started pelting stones on the police personnel for releasing the tractor. They succeeded in getting the same released. However, two motorcycles were left at the place of occurrence. The local chaukidar identified 28 persons, including the petitioners.

4. The learned counsel for the petitioners submits that the petitioners are residing outside the State for earning their livelihood and therefore, they were not aware about the lodging of the first information report. He further submits that no progress has been made in this case and the process under Section 82 and 83 of the Cr.P.C. have not yet been issued. He further submits that the petitioners have got no concern with either the loaded tractor with sand or the motorcycles in question. He submits that similarly situated other co-accused persons have been granted the privilege of anticipatory bail by



a learned Single Judge of this Court vide order dated 18.03.2024 passed in Cr. Misc. No. 11460 of 2024, vide order dated 09.08.2024 passed in Cr. Misc. No. 37621 of 2024, vide order dated 23.08.2024 passed in Cr. Misc. No. 39897 of 2024, vide order dated 23.08.2024 passed in Cr. Misc. No. 39760 of 2024 and vide order dated 02.05.2025 passed in Cr. Misc. No. 7581 of 2025. He further submits that the petitioner nos.1, 2 & 5 have got three criminal antecedents, while petitioner nos. 3 & 4 have got two criminal antecedents. However, in all the cases, the petitioners are on bail.

5. Per contra, the learned APP for the State vehemently opposes the prayer for bail of the petitioners and submits that the petitioners along with other co-accused persons obstructed the informant and other police personnel in performing their duties and also pelted stones on them and finally succeeded in getting the tractor free, which was seized by the informant and other police personnel.

6. Having heard the rival submissions and after going through the records, it appears that a tractor was seized and the driver escaped. Later on, 28 named accused persons, along with 10-15 unknown persons came and started pelting stones. Petitioners were named in the first information report, since they



were identified by the local chaukidar. Similarly situated co-accused persons have been granted the privilege of anticipatory bail by a learned Single Judge of this Hon'ble Court vide order dated 18.03.2024 passed in Cr. Misc. No. 11460 of 2024, vide order dated 09.08.2024 passed in Cr. Misc. No. 37621 of 2024, vide order dated 23.08.2024 passed in Cr. Misc. No. 39897 of 2024, vide order dated 23.08.2024 passed in Cr. Misc. No. 39760 of 2024 and vide order dated 02.05.2025 passed in Cr. Misc. No. 7581 of 2025. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 621 of 2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioners. However, the acceptance of bail



bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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