

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56430 of 2015

Arising Out of PS.Case No. -78 Year- 2014 Thana -ROH District- NAWADA

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1. Pankaj Singh son of Awadhesh Singh
 2. Manish Kumar son of Mithilesh Singh

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-12-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 427/436 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that one Bolero vehicle of the informant was hired by Jhapo Singh. Navin Singh was also travelling on the same vehicle. Subsequently, Navin Singh informed the informant that his vehicle was burnt by petitioner no.1 Pankaj Singh, petitioner no.2 Manish Kumar, Vinay Singh and Mohan Kumar. Though, there was a child in the vehicle but he was rescued by the villagers. The vehicle caught fire due to firing between two groups of Jhapo Singh and Navin Singh.

It is submitted by learned counsel for the petitioners that informant is actually not an eye witness to the occurrence and

the petitioners were assaulted by Jhapo Singh and others, as a result petitioner no.1. Pankaj Singh filed Roh P.S. Case No.77/2014 against them. Hence, as a retaliatory measure, the present case has been filed at the behest of Jhapo Singh. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that the informant was informed about putting of the vehicle on fire by the petitioners and others, who belonging to the adversary side of the petitioner and the case lodged by the petitioners' side at earlier point of time and statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Nawada in connection with Roh P.S. Case No.78/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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