

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66192 of 2018

Arising Out of PS.Case No. -221 Year- 2018 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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BIPIN KUMAR @ BIPIN SINGH, Son of Ram Agar Singh, Resident of
Village-Bhagwanpur,Police Station & District-Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur, Advocate.

For the Opposite Party : Mr. Amitesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 147, 148, 149, 341, 323,
379, 307, 353, 427, 504 of the IPC and 3 of the Prohibition of
Damage of Public Property Act.

The prosecution story, in brief, is that on 20.07.2018
at about 7.00 P.M. when the informant was on duty has got secret
information that a Truck loaded with illegal liquor is coming
towards Lalganj whereupon he alongwith others went there and
given signal to the driver to stop the Truck. But the driver
succeeded in fleeing away due to night. After sometime, 50-60
persons arrived there and started pelting stones on the police party



and also misbehaved and assaulted the police personnels as a result of which, patrolling party became injured. The mob have also destroyed the said Truck and set fire on the probation of other accused. It is also alleged on the order of other co-accused, Bipin Kumar @ Bipin Singh (petitioner) set fire the police jeep. The police apprehended one Rajesh Kumar with the help of villagers. He disclosed the name of this petitioner (Bipin Kumar @ Bipin Singh), co-accused Ranjit Paswan and Rahul Kumar.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has made. No specific overt act has been alleged against the petitioner. None is said to have been injured in course of occurrence. Hence, no offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from



today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in connection with Vaishali P.S. Case No. 221 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

