

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28165 of 2019

Arising Out of PS. Case No.-502 Year-2017 Thana- PHULWARISHARIF District- Patna

1. Devanand Singh @ Devanand Sharma @ Devanand Singh Son Of Rajnath Singh R/o village- Korra, P.S.- Janipur, District- Patna
2. Upendra Singh @ Upendra Sharma Son of Rajnath Singh R/o village- Korra, P.S.- Janipur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in connection with Phulwari Sharif (Janipur) P.S. Case No. 502 of 2017 registered for the offence punishable under Section 436/34 of the Indian Penal Code.

Petitioners are said to have torched the tempo of the informant in the night parked in his hut over occurrence of assault taken place between them two days earlier.

It is submitted by learned counsel for the petitioners that the petitioners have no concern with the aforesaid occurrence. They have been falsely implicated in this case.



There is case and counter case between the parties. The case of the petitioners is earlier to the case under hand. Allegation levelled against the petitioners is not specific rather general and omnibus. There is no eye witness of the occurrence. The occurrence is said to be of 13.08.2017, but FIR has been lodged on 16.08.2017 after inordinate and abnormal delay of three days. The hut is not a dwelling house. They have no criminal antecedent.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna in connection with Phulwari Sharif (Janipur) P.S. Case No. 502 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

