

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31942 of 2019

Arising Out of PS. Case No.-601 Year-2018 Thana- MADHAURAH District- Saran

Vinay Kumar @ Binay Singh, Male, aged about 34 years, Son of Dharmashil Prasad Pravah @ Dharamshil Singh, Resident of Village - Olhanpur, Ward No.-12, P.S.- Marhowrah, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-08-2019 Learned counsel for the petitioner has filed supplementary affidavit, let it be kept on record.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 379, 435, 436, 427, 504 and 506 of the Indian Penal Code.

The prosecution case in short is that the informant Md. Kalam has stated in his written report that on 16.12.2018 at about 8 AM. The informant was at his door then the accused persons named in the FIR including petitioner armed with deadly weapons attacked on his house and started looting, any how the informant fled away to save his life and thereafter the



accused persons set fire in his house due to which house hold articles and Bolero vehicle and pumping set burnt. It has further been alleged that the straw and grains have also burnt and they stopped the fire brigade vehicle due to which fire spread and house hold article. It has further been alleged that a Hundai car of Sarfudin Ansari also burnt in this occurrence and when police came then accused persons fled away from there.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case due to dirty village politics. He further submits that the petitioner and others were indulged in the postmortem and funeral ceremony of the son of Baliram Sah who was stabbed by the son of the informant on 15.12.2018 for which Marhowrah P.S. Case No. 598/2018 was lodged u/s 302/14 and with a view to pressurize the present case has been lodged by implicating the petitioner. It has further been submitted that there is general and omnibus allegation against the petitioner and having clean antecedent.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory



bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Marhowrah P.S. Case No. 601 of 2018 to the satisfaction of the learned C.J.M., Saran at Chapra, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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