

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41074 of 2019

Arising Out of PS. Case No.-111 Year-2018 Thana- GOVINDPUR District- Nawada

Niwas Kumar, son of Mohan Singh Resident of Village-Dumri, P.S.-
Govindpur, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-07-2019 , Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Govindpur P.S. Case No.111 of 2018 for the offence punishable
under Sections 295, 295(A), 427 of the Indian Penal Code.

The prosecution story as per the FIR is that on 21.05.2018
police got information that some persons have damaged the
boundary wall of Kabristan and when the police reached near the
Kabristan, Up-Pramukh, Saddam Hussain and another people from
minority community were present and disclosed that some anti-
social elements have damaged the wall of Kabristan. The name of
the petitioner has surfaced on the basis of some information
subsequently given by Spy.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated mainly on the information



given by Spy that the petitioner was loitering near the place of occurrence in evening. Apart from these, there is no material against the petitioner to connect him with this offence and further petitioner has got no criminal antecedent.

After having heard learned counsel for the petitioner as well as learned counsel for the State and taking into consideration the fact that the name of petitioner has occurred on the basis of some information given to the police by Spy, I am inclined to grant anticipatory bail to this petitioner.

Accordingly, the petitioner is directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by the petitioner, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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