

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9659 of 2020

Arising Out of PS. Case No.-117 Year-2019 Thana- SIKRAUL District- Buxar

HIMANSHU KUMAR SINGH @ NEPALI SINGH S/o Babuli Singh @
Kedar Nath Singh Resident of Village- Goppur, P.S.- Sikraul, Distt- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Manoj Kumar Singh
For the Opposite Party/s :	Mr. Satyendra Narayan Singh
For the Informant :	Mr. Manish Prakash

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-09-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner apprehends his arrest in Sikraul P.S.
Case No.117 of 2019 registered for the offences punishable
under Sections 506, 504, 435 & 427 of the Indian Penal Code
and under Section 27 of the Arms Act, pending in the Court of
learned C.J.M., Buxar.

When the informant on the eve of Chhath Puja had
gone to his village and parked his Maruti Alto Car between his
house and the house of the petitioner, the petitioner objected
and threatened to face dire consequences. On 31.10.2019 the



petitioner keeping a revolver in his hand sat on his boundary gave threat. At about 10:30 PM the petitioner set ablaze his car by sprinkling petrol. Due to this he suffered a loss of Rs.3,00,000/-. When they tried to chase him he escaped from the place of occurrence abusing him and resorting firing. Earlier to this incident, he had threatened to his family members.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty village politics. There is no eye witness of the occurrence. It is further submitted that all the sections are bailable in nature except Section 27 of the Arms Act.

Learned APP for the State vehemently opposing the bail petition submitted that from perusal of the case diary, it appears that witnesses have supported the prosecution case. The I.O. has also found burnt article at the place of occurrence and the supervisory authority has found the case true under Section 504, 506, 435 & 427 of the I.P.C. and Section 27 of the Arms Act. Para no.27 of the case diary recites criminal history of the petitioner and all are related to the Excise Act. Hence, the petitioner does not deserve anticipatory bail.



Considering the facts and circumstances of case and particularly considering the criminal antecedents, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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