

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31656 of 2020

Arising Out of PS. Case No.-307 Year-2019 Thana- MUNGER MUFFASIL District- Munger

Bigeshwar Prasad Singh, aged about 60 years, Male, son of Late Ram Dev Singh, resident of village- Adarsh Gram, P.S.- Muffasil, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar Singh, Advocate
For the State	:	Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 12-02-2021

Heard Mr. Ajit Kumar Singh, learned counsel for the petitioner and Mr. Shantanu Kumar, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

2. The petitioner apprehends arrest in connection with Muffasil PS Case No.307 of 2019 dated 04.11.2019, instituted under Sections 147, 148, 149, 341, 323, 307, 335, 427 of the Indian Penal Code and 27 of the Arms Act, 1959.

3. The allegation against the petitioner is that he gave order to the other co-accused to burn the house of the informant and throw her son in the fire, but somehow, he managed to escape and there was also firing which resulted in gunshot injury to one Gautam Kumar.

4. Learned counsel for the petitioner submitted that there is counter case earlier in time from the accused side and



the fact is that informant had come prepared for assault and they had fired resulting in gunshot injury to the driver of Babloo Mahato, who is co-accused. It was submitted that the other FIR was filed for the same incident by the wife of Babloo Mahto in which the driver of Babloo Mahto relating to gunshot injury. Learned counsel submitted that in the present case no injury has been caused to the informant. It was submitted that the petitioner is an ex-serviceman and presently is *Sarpanch* due to which he has been falsely implicated. Learned counsel submitted that there is one other case against him, that too, a complaint case filed by the informant side only.

5. Learned APP submitted that the petitioner is alleged to have given order for burning the house and throwing the son of the informant in fire.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the CJM, Munger, in Muffasil PS Case No.307 of 2019, subject to the conditions laid down in Section 438(2) of the Code of



Criminal Procedure, 1973, and further (i) that one of the bailors shall be a close relative of the petitioner, and (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner and he shall cooperate with the Court/police/prosecution. Any violation of the terms of the bonds or failure to cooperate shall lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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