

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39321 of 2020

Arising Out of PS. Case No.-99 Year-2020 Thana- JALE District- Darbhanga

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BIPIN KUMAR @ BIPIN KUMAR SAH S/o Skun Sah Resident of Village-
Rardhi, P.S.-Jale(Jalley), District-Dharbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

For the Opposite Party/s : Mr. Sita Ram Prasad

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-11-2021 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

The petitioner apprehends his arrest in connection
with Jale (Jalley) P.S. Case no. 99 of 2020, registered under
Sections 341, 323, 449, 448, 308, 325, 354, 504 and 506/34 of
the Indian Penal Code.

In brief, the allegation made in the F.I.R. is that the
informant Babita Kumari is a *Jivika* worker at C.N.R.P, Rardhi.
On 17.07.2020 at about 8.00 A.M., Bipin Kumar (Petitioner),
Ashutosh Kumar, Skun Sah, Bhola Sah, Jitendra Kumar, Vinit
Kumar Sah, Shatrughan Kumar Sah, Chandar Devi and
Khusboo Devi entered in her house and abused her mother.
Thereafter, the present petitioner threw chili powder in the eye



of the informant along with other accused and started beating. It has further been alleged that Bipin Kumar Sah (Petitioner) tried to kill her father by dashing with Swift desire car bearing registration No. MH477053.

Learned counsel appearing on behalf of the petitioner submits that the allegation made in the F.I.R., so far as present petitioner is concerned, is false and concocted and no such incident has ever taken place. He further submits that he has brought on record, by filing of supplementary affidavit, that the alleged Swift desire car bearing registration No. MH477053 is also not registered in the name of the petitioner or any of his family members. He further submits that prima facie no case is made out against the petitioner and he may be released on anticipatory bail.

Learned A.P.P. appearing for the State opposes the prayer of petitioner for grant of anticipatory bail.

Having considered the allegation made in the F.I.R. against the petitioner about throwing of chili power in the eye of informant and the allegation of dashing the father of the informant with Swift desire car bearing registration No. MH477053 being not registered in the name of petitioner nor it belongs to any of his family member and also the fact that the



petitioner has clean antecedent, I am of the opinion that petitioner has made out a prima facie case that he may be released on anticipatory bail, let the above named petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Jale (Jalley) P.S. Case No. 99 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

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