

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7159 of 2022

Arising Out of PS. Case No.-347 Year-2020 Thana- MANSI District- Khagaria

VIJAY SINGH@VIJAY PRASAD SINGH Son of Late Narayan Singh
Resident of Village - Amani, P.S.- Mansi, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 385, 504, 506/34 of the IPC and 27 of the Arms Act.

The allegation against the petitioner is that he along with other accused persons have assaulted the informant and one Bundal Yadav fired with intent to kill. It is alleged that said offence has been committed due to non-fulfillment of demand



of extortion money.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to prior enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Bundal Yadav. It is submitted that there is an admitted land dispute between the parties. The alleged occurrence is said to have taken place on 13.12.2020 but the F.I.R. has been lodged on 21.12.2020, i.e. after a delay of eight days, without assigning any plausible explanation. Such delay in lodging the FIR creates doubt about the prosecution case. No person has got any injury in the alleged occurrence. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the delay in lodging the F.I.R., 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 six weeks from today, on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Mansi P.S. Case No.347 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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