

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35261 of 2021

Arising Out of PS. Case No.-68 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

1. UPENDRA SINGH Son of Kishun Singh Resident of Village - Pandey Dehariya, P.O.- Shukul Pipara, P.S.- Mohania, Distt.- Kaimur.
2. Kishun Singh @ Krishna Bhagwan Singh Son of Dev Nath Singh Resident of Village - Pandey Dehariya, P.O.- Shukul Pipara, P.S.- Mohania, Distt.- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-03-2022 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in Mohania P.S. Case No. 68 of 2019 registered for the offence under Sections 436, 120B of the Indian Penal Code.

Allegedly, the accused persons including the petitioner poured K. oil and burnt hut of the informant causing loss of grains, cattle and other property.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the



present case. From perusal of the statements of the independent witnesses recorded at paragraphs-44 & 55 of the case diary, it is evident that fire took place accidentally. Fire was being made in the hut during winter season to provide warmth to the cattle but the hut caught fire accidentally burning the cattle shed, due to which, the cattle also sustained injuries.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Manoj Pathak, learned Judicial Magistrate-Ist Class, Kaimur at Bhabua in connection with Mohania P.S. Case No. 68 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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