

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38325 of 2022

Arising Out of PS. Case No.-190 Year-2017 Thana- BANKA District- Banka

Pappu Singh Son of Naresh Singh Resident of Village - Rampur, P.S. and District - Banka (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the State : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-11-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Banka P.S. Case No. 190 of 2017 registered for the offence under Sections 147, 149, 337, 431, 438, 427 and 307 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and is in custody since 30.03.2022.

The allegation against the petitioner is to put several trucks on fire to protest against an accident caused by one truck, where a minor girl was crushed to death.

Learned counsel appearing on behalf of the petitioner



submitted that the present F.I.R. was registered against 400 to 500 unknown persons and during the course of investigation, the first time in the supervision note of higher officials, without any basis and material, name of the petitioner surfaced due to oblique motive. It is submitted that informant of this case claimed to be an eye witness of the occurrence and despite of the same, petitioner was never put on T.I.P. It is further submitted that similarly situated co-accused person, namely, Gyandip Mandal has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 30340 of 2022 dated 30.08.2022. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as nothing incriminating surfaced/recovered to connect this petitioner, *prima facie*, with the present set of occurrence coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Banka P.S. Case No. 190 of



2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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