

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69300 of 2021

Arising Out of PS. Case No.-117 Year-2021 Thana- PIPRA District- East Champaran

Binay Singh @ Vinay Kumar Singh @ Arvind Kumar Singh @ Arvind Kumar Son of Late Chandrika Singh Resident of Village- Kuriya, P.S.- Pipra, District- East Champaran, Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sharda Nand Mishra
For the Opposite Party : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 07-07-2022 This application has been listed under the heading
“For Orders”.

Registry has pointed out several defects in the present application.

Mr. Shardanand Mishra, learned counsel for the petitioners submitted that the defects are mainly because only e-filing of the applications are permitted by the Court. He submitted that the defects can be removed only after filing of hard copy is permitted. He undertook that even if the applications are heard and disposed of on merit, in due course of time, when the Court would permit filing of hard copy, the defects pointed out by the registry would be removed.

In view of the submissions made by the learned



counsel for the petitioner, with consent of the parties, the application has been taken up for hearing on merit.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Pipra P. S. Case No. 117 of 2021 registered under Sections 147, 341, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that both the parties are agnates and there is long standing dispute between them for which Title Suit No. 157 of 2020 is pending before the court below. There is case and counter case and there is no specific allegation of assault against the petitioner. The only allegation against him is that he is order giver.

Learned counsel for the State opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the background of land dispute as well as the fact that specific allegation of causing injury to the informant and his brother Malasi Mahto is against co-accused Sumit Kumar Singh and Saurabh Kumar Singh and the fact that there is counter version too, I am inclined to grant pre-arrest bail to the petitioner. Accordingly, in the event of arrest or surrender



before the court below, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Pipra P. S. Case No. 117 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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