

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19729 of 2023

Arising Out of PS. Case No.-71 Year-2021 Thana- BENIPATTI District- Madhubani

1. Suresh Singh @ Suresh Kumar Singh S/O Late Basudeo Singh Resident Of Village- Shilanath Barhi, P.S.- Jaynagar, District- Madhubani.
2. Awadhesh Kumar Singh @ Awadhesh Singh S/O Bisheshwar Singh Resident Of Village- Shilanath Barhi, P.S.- Jaynagar, District- Madhubani.
3. Mohan Singh @ Manmohan Singh S/O Maheshwar Kuwar Resident Of Village- Shilanath Barhi, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjay Kumar, Adv. Mr. Bhavesh Kumar Sah, Adv.
For the Opposite Party/s	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-06-2023 Heard Mr. Ranjay Kumar, learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Benipatti P.S. Case No. 71 of 2021, registered for the offences punishable under Sections 143, 435, 436, 448, 427, 511 of the Indian Penal Code.

It is alleged that members of *Karni Sena* vandalized the house of Bhola Singh and Saroj Singh. Thereafter they also demolished the house of one Pravin Jha and his relatives. It is further alleged that after vandalizing their houses, all the



accused persons set ablaze the houses and fled away. The accused persons also set fire an old factory of one Chandrashekhar Mishra. The informant thereafter came to know from the local people about the involvement of the petitioners along with other co-accused persons in the present crime.

Learned counsel appearing on behalf of the petitioners submitted that from the FIR it is evident that there is no eye witness to the alleged occurrence, who disclosed the name of the petitioners, and save and except the suspicion regarding the complicity of the petitioner there is no material suggesting their involvement. He further submits that the informant has not disclosed as to from whom and how he came to know about the involvement of the petitioners. The petitioners are the resident of different village situated more than at a distance of 50 kilometres and, as such, their identification by any of the person is highly suspicious, apart from the fact that the petitioners are having clean antecedent. The petitioners also denied the fact that they are the members of *Karni Sena* and their implication is nothing but a result of village politics.

On the other hand, learned counsel for the State opposed the bail application.

Regard being had to the submissions made on behalf



of the parties and considering the omnibus allegation against the petitioners, coupled with their fair antecedent, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Benipatti, Madhubani, in connection with Benipatti P.S. Case No. 71 of 2021, subject to the conditions laid down in Section 438(2) Cr.P.C.

(Harish Kumar, J)

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