

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58127 of 2023

Arising Out of PS. Case No.-315 Year-2023 Thana- BARHARA District- Bhojpur

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Bittu Kumar @ Bittu Kumar Roy @ Bittu Rai S/O Late Shiv Bachan Rai R/O
Village- Gundi, Jai Lal Ke Tola, Ps. Barhara (KRISHNAGARH), Dist.
Bhojpur

... .. Petitioner/s

Versus

The state of bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 447, 448, 436, 427, 379 and 506 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against the petitioner along with other co-accused persons is that they set on fire of the poultry farm of the informant due to which some chicken died and the reason of this as alleged occurrence is said to be previous dispute.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to old dispute between



the parties. Nothing specific allegation has been attributed against the petitioner only on the basis of suspicion, he has been dragged in this case. It is also submitted that no any human beings caused harm from this incident so, this case does not come under Section 436 of the IPC rather it may be come within the purview of mischief of property and others. The petitioner has no concern with the alleged occurrence. Moreover, he is languishing in judicial custody since 17.06.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barhara(Krishnagarh) P.S. Case No. 315 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Bhojpur at Ara.

(Sunil Kumar Panwar, J)

Shubham/-

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