

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4697 of 2024

Arising Out of PS. Case No.-97 Year-2011 Thana- TAJPUR District- Samastipur

DEEPAK KUMAR SINGH S/O MITHILESH KUMAR SINGH R/O
VILLAGE- AWABAKARPUR, P.S- N.H BANGARA, DISTT.-
SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Adv.
Ms. Kanchan Kumari, Adv.
Mr. Chaitanya Swaroop, Adv.
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in connection
with Tajpur (Bangra) P.S. Case No.97/2011 registered for the
offence punishable under Sections 147, 427, 435 and 436 of the
Indian Penal Code.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
setting on fire the measurement center of the informant. It is next
submitted that the police after investigation submitted charge sheet
under sections 147, 427 and 435 of the Indian Penal Code, which
amply demonstrates that nothing during the course of investigation
transpired which could attract section 436 of the Indian Penal
Code but the learned Magistrate differing with the police report in



a mechanical manner took cognizance of the offence under sections 147, 427, 435 and 436 of the Indian Penal Code. It is next submitted that even presuming what has been alleged is true without admitting then from perusal of the allegation as alleged in the F.I.R. it would manifest that the allegations are based on surmises and conjecture and informant is not an eyewitness to the occurrence.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Santosh Kumar, J.M. 1st Class, Samastipur in connection with Tajpur (Bangra) P.S. Case No.97/2011, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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