

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37289 of 2024

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

Ajay Kumar Singh son of Suryadev singh Village- Ababakarpur Ps- Bangara
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Adv.
For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Tajpur (Bangra) P.S. Case No. 97 of 2011 registered for the offences under Sections 147, 436, 427 and 379 of Indian Penal Code.

3. As per prosecution case, petitioner and other accused persons damaged the property of the weighing center of Hasanpur Sugar Mill and took away a number of articles from there. Thereafter they set on fire the said center.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on the basis of suspicion. There is no specific allegation against the petitioner and the allegations are general and omnibus. As a

matter of fact the alleged date of occurrence was a day of Holika Dahan and the said center was old hut and it was near the spot of Holia Dahan. Some local boys burnt the said hut and the petitioner has been falsely implicated in this case. There is no eye witness to the alleged occurrence and the witnesses have not supported the prosecution case. It has also come during investigation that there was old enmity between the informant and one Brijnandan Singh and for this reason a number of persons have falsely been implicated in this case and police submitted final form in respect of Brijnandan Singh, Bidhnath Singh, Rahul and Rohit Kumar and due to this previous enmity the petitioners and others have been dragged in this false case. The petitioner has clean antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering non-specific nature of allegation against the petitioner with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Samastipur/court concerned in connection with Tajpur

(Bangra) P.S. Case No. 97 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:-

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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