

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49005 of 2024

Arising Out of PS. Case No.-158 Year-2024 Thana- SONEPUR District- Saran

Akshay Kumar Singh S/o- Late Shiv Pujan Singh Village- Shahpur Ps-
Sonpur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 25-10-2024 1. Heard learned counsel for the petitioner and learned
APP for the State, Mr. Rabindra Kumar.
2. No one appears on behalf of the informant.
3. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
341, 452, 436, 34, 120B of the Indian Penal Code.
4. The learned counsel submits that by order dated
18.09.2024, case diary was called for, but the same till date has
not been received.
5. The Court will not wait endlessly for the case diary
and thus proceeds to decide the case on merits.
6. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent. It is next submitted
that Trilokinath Singh @ Triloki Singh along with five others
had moved this Court seeking anticipatory bail by filing
Criminal Miscellaneous No. 59983 of 2024 and the same was



allowed by an order dated 19.09.2024, after considering the case on merits in detail.

7. The learned counsel for the petitioner further submits that even presuming what has been alleged is true without admitting then neither the informant nor his brother alleges that they saw the petitioner or any of the accused putting the car, motorcycle and house on fire, it is next submitted that petitioner is a government school teacher and he was appointed as a teacher in the year 2007 at Government Girls Middle School, Shahpur. It is next submitted that brother of the informant namely, Ranjit Singh, who was the ex-Secretary of the school and intended to purchase some land of the petitioner which was adjacent to the property of the informant but since petitioner was not willing to sell the land, as such, dispute had arisen between the parties. It is submitted that it absolutely does not stand to reason that as to why a government school teacher would put his government job on stake and commit such an occurrence as it has been alleged by the informant that he had gone to attend a marriage on the date of occurrence and when he came back at 11:45 PM, he identified all the accused persons including the petitioner in the light of street bulb and saw the petitioner carrying a petrol gallon and also heard his brother



Vijay crying and shouting that the accused persons have put the house, car and motorcycle on fire, further while fleeing, Aman threatened the informant of not disclosing the occurrence to anyone or else he will face dire consequences, it is further alleged that when informant reached near his house, he saw that his brother was crying and telling that the accused persons have put the house, car and motorcycle on fire, and Aman even threatened him.

8. The learned counsel for the petitioner fairly submits that during the course of investigation, it has come that car and the motorcycle of the informant caught fire but then the allegation with regard to setting the house on fire is a disputed allegation. It is further submitted that no government school teacher would put his job at risk. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

9. The learned APP for the State opposes the anticipatory bail application of the petitioner

10. Considering the submissions made by the learned counsel for the petitioner and also taking into consideration the order dated 19.09.2024 in Criminal Miscellaneous No. 59983 of 2024, the petitioner above-named, in the event of his arrest or



surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000 /- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. at Chapra, Saran in connection with Sonpur P.S. Case No. 158 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

11. However, it is made clear that in the event if the investigating officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required the learned trial court shall be at liberty to cancel the bail bonds of the petitioner forthwith after recording reasons.

12. Let a copy of this order be sent to the concerned Police Station through the learned trial court.

13. **The application stands allowed.**

(Satyavrat Verma, J)

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