

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86656 of 2023

Arising Out of PS. Case No.-226 Year-2023 Thana- NAVINAGAR District- Aurangabad

Bipin Singh @ Bipin Kumar son of Lalji Singh Resident of village- Kosdihra,
p.s.- Nabinagar, dist- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-01-2024

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Nabinagar P.S. Case No. 226 of 2023 dated 05-06-2023 registered under Sections 341 / 323 / 353 / 504 / 506 / 34 of the I.P.C.

3. As per the First Information Report lodged by A.S.I. of Nabinagar Police Station alleging that he received a call from one Santosh, who told him why he was not arresting the Chairman. It has further been alleged that thereafter phone was picked up by the petitioner, who started threatening the informant of dire consequence if raid is conducted in his house. It has further been alleged that on 04-06-2023 while the informant was on patrolling duty along with Police force, the patrolling vehicle was stopped by the petitioner along with



others, who abused the informant, threatened him of his life and the accused persons also tried to assault the informant and his team.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and since the petitioner is a political activist and his wife is Chairman of Nabinagar Parishad the present F.I.R. has been lodged which is politically motivated. He further submits that except Section 353 of the I.P.C. other Sections are bailable. Learned counsel also submits that Section 353 I.P.C. is not made out inasmuch as there is no allegation that the petitioner prevented the Police force in discharge of their official duty.

5. On the other hand, learned counsel for the State submits that petitioner is having criminal antecedent of seven cases and from perusal of the FIR Section 353 I.P.C. is made out inasmuch the petitioner tried to prevent the Police force in discharge of their official duty while they were engaged in patrolling duty.

6. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that petitioner is a political activist and had also filed a complaint case before C.J.M., Aurangabad (Bihar) vide



Annexure – P/ 2 (Series) against the informant, as such, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Nabinagar P.S. Case No. 226 / 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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