

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.19581 of 2026

Arising Out of PS. Case No.-841 Year-2020 Thana- FATUA District- Patna

-
1. Vikku @ Vikku Kumar, S/o Vijay Singh @ Vijay Prasad
 2. Biru S/o Vijay Singh @ Vijay Prasad
 3. Vijay Singh @ Vijay Prasad S/o Late Bengali
 4. Sanohar Singh S/o Late Bengali
 5. Manohar Singh S/o Late Bengali

All are R/o Village - Bikrampur, P.S - Fatuha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

5 15-07-2026 Heard Mr. Manoj Kumar Pandey, learned counsel
appearing on behalf of the petitioners and Mr. Ram Priya Sharan
Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Fatuha P.S. Case No. 841 of 2020 registered for the
offence(s) punishable under Sections 436,34 of the Indian Penal
Code.

3. As per the allegation made in the FIR, the



petitioners along with other co-accused persons have set on fire the hut of the informant and thereafter fled away.

4. Learned counsel appearing on behalf of the petitioners submitted that that due to enmity, the petitioners have been implicated in the present case on false accusation that all the petitioners along with other co-accused have set on fire his hut and fled away which cannot be accepted as in fact the house of the petitioner is just in front of the house of the informant and there is a dispute regarding the common passage as would appear from the information contained in paragraph no.7 of the case diary. Petitioners have also stated that the informant and petitioners are co-villagers and as per the information, they are next door neighbour. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the evidence which has been collected in course of investigation, I find that the Investigating Officer has not visited the place of occurrence soon after the alleged FIR was lodged and in absence of evidence regarding the burnt house, I find that



the prosecution has failed to support the allegation of setting the house of the informant on fire and at the same time, I find that only one witness has examined, who has supported the allegation made in the FIR. In the FIR also, there is reference that petitioner has fled away from the place of occurrence, whereas in paragraph no.7 of the case diary, it has come that the petitioners and informant are the next door neighbour and there is a dispute in respect of a common passage between them, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patnacity, District, Patna / Concerned Court in connection with Fatuha P.S. Case No. 841 of 2020, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as



what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

