

Vinit Kumar @ Bhonu Vs. the State of Bihar

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Court : Patna

Decided On : May-23-2012

Appellant : Vinit Kumar @ Bhonu

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.2073 of 2012 Vinit Kumar @ Bhonu Versus The State Of Bihar ----- with Criminal Miscellaneous No.2070 of 2012 Vinit Kumar @ Bhonu Versus The State Of Bihar ----- 2/23.1.2012 Heard learned counsels for the petitioner and the State. The same petitioner is apprehending arrest in two cases for the same offence; one registered under sections 395 and 397 of the Indian Penal Code and the other under sections 147, 148, 149, 341, 332, 333, 427, 452, 323, 307, 435, 436, 380 and 120B of the Indian Penal Code and sections 3 and 4 of the Prevention of Damage to Public Property Act. It appears that the occurrence is of 4.2.2009 and two FIRs were lodged; one as Giriyak (Katrisarai) P.S. Case no. 25 of 2009 and the other as Giriyak (Katrisarai) P.S. Case no. 24 of 2009 where accusations are of taking away of cartridges and service revolver and raising slogans, damaging the properties and litting fire in the police station premises respectively. The accusations are not specific against the petitioner. In the first case the petitioner was named while in the second case the petitioner was not named. Lodging of the two cases for the one occurrence creates doubt about the prosecution version as to why both the accusations have not 2 been incorporated in one FIR. It appears

that other similarly situated accused persons have been granted bail. Considering the aforesaid facts, let the above named petitioner in two applications be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing the bail bond of Rs.10000/(ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M. Nalanda at Biharsharif in Giriyak (Katrisarai) P.S. Case Nos. 25 and 24 of 2009 subject to the conditions as laid down under section 438(2) of the Cr.P.C. Anil/ (Dinesh Kumar Singh, J.)

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