

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43369 of 2015

Arising Out of PS.Case No. -171 Year- 2014 Thana -KHAIRA District- JAMUI

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Prama Yadav @ Parma Yadav Son of Ishwar Yadav, resident of village-
Kharaua, P.S.- Khaira, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Ms. Jyoti Ranjan Jha, Advocate.

For the Opposite Party : Mr. Ram Shankar Das, (Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 07-12-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 323, 341, 436 and 504 of the Indian Penal Code and under Sections 3(i)(x) of the SC/ST Act.

The informant Hari Manjhi named ten persons including the petitioner and alleged that while he was constructing the Chabutra the accused persons including the petitioner came and assaulted him. The petitioner is alleged to have set ablaze the house of Golki Devi.

It is submitted that the investigating officer has not collected any evidence to show that the house of Golki Devi was burnt. Dy. S.P. in his supervision found that it was the informant

who set ablaze the house of Golki Devi. Other accused persons have already been granted anticipatory bail vide orders passed in Cr. Misc. No. 24046 of 2015. But from perusal of the record, it appears that the witnesses have stated that it was the petitioner who set ablaze the house of Golki Devi. The case of the petitioner stands on different footing as that of other accused persons. As the other accused persons are not alleged to have ignited fire in the house of Golki Devi.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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