

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43382 of 2014

Arising Out of PS.Case No. -20 Year- 2014 Thana -BARHAT District- JAMUI

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1. Shankar Yadav Son of Garbhu Yadav Resident of Village-Sudamapur,
(Dhuniamaran), P.S.-Barahat, District-Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 27-03-2015 Heard learned counsel for the petitioner and learned

counsel representing the State.

Petitioner apprehends his arrest in connection
with Barhat P.S. Case No. 20 of 2014 registered for the offences
punishable under Sections 341, 323, 436, 504/34 of the Indian
Penal Code.

Allegation against the petitioner is that he set fire
in the house wherein the informant has been living for last ten
years.

Submission is of false implication and that the
place of occurrence is not a dwelling house, as such, no case under
Section 436 Indian Penal Code is made out, there was bonafide
land dispute and further there is no seizure list of burnt articles to

which the learned APP duly assisted by the learned counsel for the informant opposes by submitting that at the place of occurrence the I. O. has found burnt ashes of bamboo and straw which is mentioned in the impugned order in paragraph 6.

In the facts and circumstances stated above and considering the allegation attributed against the petitioner, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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