

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55383 of 2015

Arising Out of PS.Case No. -274 Year- 2013 Thana -KUDHNI District- MUZAFFARPUR

Sonu Kumar s/o Late Chandeshwar Mahtom R/v Mirja Nagar, P.S. Mahua,
Distt. Vaishali at Hajipur. At present R/v Keshrawan, P.S. Kurhani, Distt.
Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Abhay Kr. 1(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 09-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Kurhani
P.S. Case No. 274 of 2013 registered for the offences punishable
under Sections 447, 326, 307/34 of the Indian Penal Code.

Allegedly, Ram Nath Paswan, the husband of the
informant was sleeping on the *varandah* and then the petitioner
with four un-known came there, sprinkled petrol on his body and
lit the fire in sleeping condition with intention to kill him and
thereafter due to alarm being raised, villagers came there and took
her husband to hospital.

Submission is of false implication, there is no eye
witness of the occurrence, the informant was also sleeping and he



has not seen the culprit but only on suspicion and due to dirty village politics, the injured has named the petitioner, the husband of the informant left the informant and started living with the mother of the petitioner, resulting the informant got her husband burnt in sleeping condition and to save the skin, implicated the petitioner. Witness Kamali Devi vide para-6 has stated that the husband of the informant was living with Sangeeta Devi, the mother of the informant and, as such, the petitioner who is suffering in custody since 14.08.2015, deserves sympathetic consideration.

The learned APP opposes the prayer of bail by submitting that injured has supported the allegation and further multiple burn injuries have been found on the person of the victim and was referred to S.K.M.C.H., Muzaffarpur and opinion has been kept reserved.

In the facts and circumstances stated above, considering the detention of the petitioner now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Judicial Magistrate, 1st Class at Muzaffarpur arising out of Kurhani P.S. Case No. 274 of 2013 subject to the conditions that one of the bailors must be near

relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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