

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37540 of 2016

Arising Out of PS.Case No. -770 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Bittu Sah @ Bittu Kumar Son of Hanuman Sah resident of vill. – Semara,
P.S.- Agrer, Distt. Rohtas

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

3 18-11-2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Sasaram (T) P.S. Case No.770 of 2016 for the offences registered
under sections 452, 306 and 354 of the Indian Penal Code.

The informant's daughter was caught in fire on 2.7.2016
at about 9.00 A.M. while she was cooking meal and she was taken
to a private hospital. Subsequently, informant came to know that
she made attempt to commit suicide as in previous night petitioner
had entered into the room of informant's daughter but informant
attempted to catch him but he managed to escape from there and
that is the reason, the informant's daughter made attempt to
commit suicide.

It would appear from perusal of paragraph-17 of the case

diary that in course of treatment, informant's daughter died and the fardbeyan of the informant's husband was recorded by the police and in the said fardbeyan, he stated almost similar story but admitted that his daughter was caught in fire while she was cooking meal on 2.7.2016 at about 9.00 A.M.

Submission on behalf of the petitioner is that the deceased was caught in fire accidentally but due to previous enmity, petitioner has been implicated in this case. It is further submitted that the informant allegedly gave written report on 4.7.2016 and on the same day, formal F.I.R. was prepared but the said formal F.I.R. was put up before the court on 8.7.2016 and there is no explanation of the aforesaid inordinate delay in sending the F.I.R.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner above named, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sasaram, Rohtas in Sasaram (T) P.S. Case no. 770 of 2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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