

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49861 of 2015

Arising Out of PS.Case No. -687 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

- =====
1. RAVINDRA RAI @RAVINDRA KUMAR Rai Son of Late Bigan Rai
 2. Devendra Rai Son of Late Bigan Rai
 3. Shyam Rai Son of Late Bigan Rai
 4. Indros Rai Son of Late Lakshman Rai
 5. Manjay Rai @ Manchay Rai Son of Ganaur Rai All Resident of Village - Chiknauta, P.S.- Vishnuduttapur, P.S.- Karja, District - Muzaffarpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhakar Jha, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Ahiyapur P.S. Case No.687 of 2015 for the offences instituted under Sections 147, 148, 149, 341, 448, 323, 324, 307, 302 and 120(B) of the Indian Penal Code.

As per fardbayan of informant Veena Devi, the prosecution story, in brief, is that in the night of 4.8.2015 after taking meal while she along her family inmates were sleeping at different places in the house, she heard sound of cries of her father-in-law, mother-in-law and sister-in-law. She came out and



saw their bodies under flame of fire. On hearing alarm, local people arrived there and they shifted injured to SKMCH, Muzaffarpur. Later it is also mentioned that father-in-law of informant told that petitioners including other FIR named accused had demanded his land and on his refusal they by hatching a conspiracy spread petrol on them and burnt. She (informant) further alleged that on 5.8.2015 during the course of treatment her father-in-law and daughter died due to sustaining of burn injuries. Her mother-in-law and Nanad are still under treatment. Veebha Devi in order to finish evidence tried to take away dead bodies and injured on ambulance. She was apprehended by people who handed over her to police.

It is submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Petitioners have been made accused due to mistake of fact. There is no substantive evidence to suggest implication of the petitioners in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. Same is rejected. If the petitioners surrender in the court below, same

shall be considered on its own merit without being prejudiced by
this order.

(Sudhir Singh, J)

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