

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46218 of 2016

Arising Out of PS.Case No. -315 Year- 2016 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Dinanath Paswan (Prasad), S/o Late Guru Paswan, Village – Sokhara, P.S.
Dehri (T), District – Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 22-10-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 448,
436 and 427/34 of the Indian Penal Code.

The prosecution case is that on 19.06.2016
at 10.00 A.M. the petitioner Dinanath Paswan, co-accused
Shivasharay Paswan and Sanjay Paswan came and by sprinkling
kerosene oil get the house of the informant ablaze as a result the
household articles got burnt.

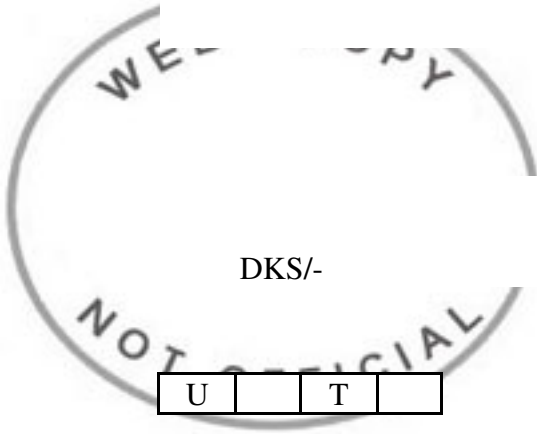
It is submitted by learned counsel for the
petitioner that the accusation has been levelled in the
background of 144 Cr.P.C. proceeding between the parties
wherein the stay order was passed against the informant and



Sasaram (T) P.S. Case No. 880 of 2015 filed with accusation under Sections 420, 467, 468, 406 of the Indian Penal by the wife of the informant in which the petitioner is on bail whereas the petitioner has filed Complaint Case No. 138 of 2015 with accusation of setting fire of the standing crop of the petitioner. The malicious accusation against the petitioner is apparent from the fact that petitioner's brother-in-law (Sala) Shivasharay Prasad and brother-in-law (Bahnoi) Sanjay Paswan have been made accused along with the petitioner, who have been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 37989 of 2016.

Considering the fact that the similarly situated accused persons have been granted anticipatory bail, moreover, from the place of the occurrence only one small piece of burnt wood was recovered which prima facie suggests that place of occurrence was not dwelling house, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with

Dehri (T) P.S. Case No. 315 of 2016, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.



DKS/-

(Dinesh Kumar Singh, J)

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