

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41183 of 2016

Arising Out of PS.Case No. -141 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

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Sahzadi @ Bibi Sahzadi W/o - Md. Iqbal resident of Bhimkitta Azad Colony, Nathnagar, P.S. - Nathnagar (Madhusudanpur), District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-09-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in connection with Nathnagar (Madhusudanpur) P.S. Case No.141/2016 registered for the offences punishable under Sections 498A, 307, 504 and 506 of the Indian Penal Code, pending before the learned ACJM-1, Bhagalpur.

Prosecution case is based on the 'fardbeyan' of the victim recorded in presence of the Executive Magistrate, Sadar and the doctor of Jawahar Lal Nehru Medical College Hospital, Mayaganj, Bhagalpur, in emergency ward bed no.18, to the effect that on 15.04.2016, the victim was sitting in her room

when the petitioner entered into the room with kerosene oil and poured on her and thereafter lit the fire. On alarm being raised, the family members came and extinguished the fire. It is also alleged that at earlier point of time there was a fight between the victim and the petitioner when the petitioner threatened the informant to kill her by causing burn injuries.

It is submitted by learned counsel for the petitioner that for the occurrence of 15.04.2016, the FIR has been registered on 17.05.2016 and there is no explanation for such delay. Though, the 'fardbeyan' was recorded on 16.04.2016 at 5.00 PM and Sanha No.409/16 is mentioned on the margin of the Fardbeyan, but it appears that the delay was caused in transmission of the 'Fardbeyan' and getting it registered.

In view of specific accusation against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Dinesh Kumar Singh, J)

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