

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35253 of 2016

Arising Out of PS.Case No. -183 Year- 2016 Thana -KHAZANIHAT District- PURNIA

1. Mantosh Kumar @ Mantosh Kumar Paswan son of Jawaharlal Paswan
Resident of Village - Tharha, P.S.- K.Hat (Maranga), District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S.N.P. Sinha, Sr. Advocate.

For the Opposite Party/s : Mr. Anil Kumar APP

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 18-10-2016

Heard Mr. S.N.P. Sinha, Sr. Advocate, for the

petitioner and Mr. Anil Kumar APP for the State.

The petitioner prays for grant of anticipatory bail in connection with K. Hat (Maranga) P.S. Case No. 183/2016, registered under Sections. 354A and 307 of the IPC.

The allegation is that the petitioner was having affairs with the daughter of the informant. He wanted to establish physical relationship with her which was denied; enraged thereby on the date of occurrence, he came to the house of the informant with a gallon filled with kerosene oil and spread on her body and then lit her. The victim was taken to the hospital and after about 30 days, the First Information Report was lodged.

The contention of the petitioner is that it was

accidental fire which caused injury to the victim. As the petitioner got employment, the informant was pressurizing him to marry his daughter. On refusal, the present case has been lodged. It is further emphasized that the victim has not suffered any injury on account of burning as alleged in the FIR.

Learned APP for the State, on the other hand, opposed the prayer and submitted that the victim in her restatement has narrated the entire episode. From the investigation report, it appears that she was admitted in hospital but when the I.O. went to obtain the injury report, the same was denied on the plea that it is not prepared.

Looking to the seriousness of the allegations levelled against the petitioner, I am not inclined to extend the privilege of anticipatory bail to the petitioner. However, if the petitioner surrenders and prays for bail, the learned Court below will be at liberty to call for the injury report of the injured and thereafter dispose of the application in accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--