

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58501 of 2015

Arising Out of PS.Case No. -82 Year- 2014 Thana -ASARGANJ District- MUNGER

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Naresh Yadav S/O Late Banarsi Yadav, Resident of Village - Adras, P.S -
Asarganj, District -Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Nawalkishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted for the
offence under Sections 448, 147, 148, 342, 324, 307 and 379 of
the I.P.C. Later on Section 302 of the I.P.C. was also added.

The prosecution case, in brief, is that on the alleged
date and time of occurrence the accused persons including the
petitioner brought the informant at her Darwaja and started
assaulting her and accused Sugia Devi brought kerosene oil and
sprinkled on her body, then petitioner ignited match-stick on the
body of the informant, due to which the informant sustained burn
injury. The accused persons also took away cash of Rs.2000/- and
house-hold articles. The informant was sent to the Hospital for

treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 2.9.2015 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. As per the prosecution case, the petitioner is said to have ignited match-stick on the body of the informant, due to which the deceased sustained burn injury. The alleged occurrence is said to have taken place on 18.8.2014 and the F.I.R. has been instituted on 3.9.2014 i.e. after 15 days of the alleged occurrence. Delay has not been explained by the prosecution. The deceased was carried to the Hospital by the Choukidar. Choukidar has not been examined in the present case. There is admitted property dispute between the petitioner and the deceased. Hence, the petitioner has falsely been implicated in the present case by the other family members of the deceased. From perusal of the postmortem report, it is evident that the deceased died due to septicemia.

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

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail

bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Amit Kumar Sharma, J.M., 1st class, Munger in connection with Asarganj P.S. Case No.82 of 2014.

(Sudhir Singh, J)

Narendra/-

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