

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54048 of 2016

Arising Out of PS.Case No. -49 Year- 2014 Thana -BAGHAILA District- SASARAM (ROHTAS)

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Dinesh Bind Son of late Vikrama Bind Resident of Village Majhiaon, P.S.
Baghaila (Nokha) District Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 19-04-2017 Heard both sides.

The petitioner apprehends his arrest in Baghaila (Nokha) P.S. Case No. 49/2014, registered for the offences punishable under Sections 307, 436 and other sections of the Indian Penal Code. Later on, section 302 of the Indian Penal Code was added.

The informant alleged that while he was sleeping in his hut, Dinesh Bind (petitioner) and his wife Lakh Muni Devi came near the hut, when the informant enquired from the petitioner and his wife, the petitioner put straw near the hut and ignited fire. The informant got burn injuries and subsequently he succumbed to the injuries.

Learned counsel for the petitioner submits that the informant/deceased was issueless. The case is false. The petitioner



had no reason to cause burn injury to the informant. The wife of the petitioner against whom similar allegation is made has already been granted anticipatory bail vide order dated 03.11.2015 passed in Cr. Misc. 49033/2015. From perusal of the record, it appears that prayer for anticipatory bail of petitioner was earlier rejected vide order dated 26.06.2015. The wife of the petitioner was granted anticipatory bail by a coordinate bench of this court on consideration of the fact that during the course of investigation it has come that the allegation of setting ablaze the hut of the informant was against the husband (petitioner). There is specific allegation against the petitioner that it was the petitioner who set ablaze the hut of the informant in which the informant got extensive burn injuries and subsequently, he succumbed to the injuries.

It appears that prayer for anticipatory bail of the petitioner was earlier rejected on 26.06.2015, but even after lapse of about two years, the petitioner did not surrender in the court below and he is evading his arrest.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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