

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14413 of 2017

Arising Out of PS.Case No. -265 Year- 2016 Thana -JAMUI District- JAMUI

- =====
1. Dinesh Saw son of Fakira Saw
 2. Fakira Saw son of Late Lekha Saw both residents of village Khairma, P.S. and District Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-06-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Jamui P.S. Case No. 265 of 2016 for the offences punishable under sections 341, 342, 326, 335, 307 and 504/34 of the I.P.C.

Allegedly, the petitioners burnt the informant with the help of others and the nearby persons caused the fire. She alleged that the petitioners and others are torturing her for partition of the house.

Submission is of false implication and that during investigation the independent witnesses who are neighbours have stated otherwise that either the informant burnt herself or she was burnt accidentally, nobody was present in the house and due to the



earlier dispute for partitioning and vacating the house the informant implicated the petitioners and others, witness Bishwanath Arya, Devendra Saw and Omprakash Saw, vide paragraphs- 11, 12 and 20 of the case diary, have stated regarding innocence of the petitioners, only husband of the informant, wife and brother have supported the prosecution version which is not reliable and probable and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances as stated above, considering the statements of those independent witnesses, vide paragraphs- 11, 12 and 20 of the case diary and further considering that admittedly there is dispute for partitioning the house and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Jamui in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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