

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58146 of 2018

Arising Out of PS.Case No. -96 Year- 2018 Thana -PARBATTa District- KHAGARIA

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Bambam Kumar @ Bambam Kumar Jha, Son of Shankar Jha, Resident of
Village- Muradpur, P.S.- Parbatta, District- Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar Jha, Advocate.

For the Opposite Party : Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 307 and 504/34 of
the IPC.

The prosecution story, in brief, is that on 21.03.2018
at 4.00 A.M., the petitioner and co-accused persons were setting
the informant's daughter and grand-son on fire by sprinkling
diesel but on alarm, raised by the informant, the nearby persons
came and saved their lives. It is further alleged that husband of the
informant has re-married and earlier also the accused had tried to
strangulate her but with help of villagers, she was saved. The
petitioner is the step-son of the informant.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No one is said to have been injured in course of occurrence. Hence, no offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Khagaria, in connection with Parbatta P.S. Case No. 96/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)