

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16676 of 2018

Arising Out of PS.Case No. -99 Year- 2017 Thana -SIMRIBAZAR District- DARBHANGA

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Biji Mahto @ Biju Mahto, Son of Late Basudeo Mahto, Resident of
Village- Adhopur P.S. Simri, District- Darbhanga.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-05-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Simri
P.S. Case No. 99 of 2017, registered for the offences punishable
under Sections 341, 323, 354, 448, 449, 436, 427, 307, 379, 504,
506/34 and 302 of the Indian Penal Code.

Allegation as per FIR is that there was dispute between
the informant and petitioner with respect to “Rasta” and
measurement was also done but petitioner was not ready to vacate
“Rasta”. No doubt, in the intervention of others petitioner has
vacated the “Rasta” on the next day and petitioner along with
others damaged the house of the informant by setting on fire and
committed theft of ornaments and cash Rs.2 lakhs and due to fire
injury informant was referred to PMHC where he died.



Submission of learned counsel for the petitioner is that he has falsely been implicated only because of dispute with respect to “Rasta” and he has committed no such offence, as alleged.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner, rather petitioner to surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by the order of this Court.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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