

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.49382 of 2018**

Arising Out of PS.Case No. -1713 Year- 2016 Thana -SITAMARHI COMPLAINT CASE District-  
SITAMARHI

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1. Nitesh Kumar, S/o Bishwanath Baitha, Resident of Village- Paramjivar,  
P.S.- Hathauri, District- Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Punam Devi, W/o Suresh Baitha, Resident of Village- Sukhi, P.S.-  
Belsand, Dist- Sitamarhi.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2 28-08-2018

Heard the parties.

The petitioner seeks anticipatory bail in connection  
with C-1/1713/16, registered for offences punishable under  
Sections 147, 148, 427, 447, 323, 354 (B) and 436 of the Indian  
Penal Code.

As per F.I.R., allegation against the petitioner is of  
setting on fire the house of the informant.

Submission of the learned counsel for the petitioner is  
that the petitioner has been falsely implicated in this case and  
there is no any specific allegation against the petitioner. It is  
further submitted that other co-accused has been granted privilege



of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 19.12.2018 passed in Cr. Misc. No. 59202 of 2017.

Learned A.P.P. opposes the prayer for bail.

In view of allegation against the petitioner, above named, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

**(Vinod Kumar Sinha, J)**

Sudha/-

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