

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28283 of 2018

Arising Out of PS.Case No. -522 Year- 2017 Thana -BAKHTIYARPUR District- PATNA

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1. Md. Shahwaz Alam @ Md. Shawaz S/o Aludi Mian) @ Md. Allauddin,
R/o Vill.- Chakdaulat, P.S.- Bakhtiarpur and Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammed Abu Haidar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bakhtiyarpur P.S.Case No.522 of 2017 registered for offences punishable under Sections 436/34 of the Indian Penal Code.

Allegation against the petitioner is of setting the house of the informant on fire.

Submission of the learned counsel for the petitioner is that only on the basis of suspicion, he has been made accused in this case as there was scuffle between the son of the petitioner and the brother of the informant, due to which he has been implicated in this case.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that witnesses have seen the petitioner fleeing from the



place of occurrence and one day prior he had threatened the informant of dire consequences.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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