

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12605 of 2019

Arising Out of PS. Case No.-224 Year-2018 Thana- JAGDISHPUR District- Bhojpur

=====

Ramniwas Yadav, son of Hardev Singh, Resident of village-Isadi
Bhabhniyawar, P.S.-Jagdishpur, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 28-06-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Jagdishpur P.S. Case No.224 of 2018 for the offence punishable
under Sections 341, 323, 307 of the Indian Penal Code.

The learned counsel for the petitioner informs that
during the treatment, the injured informant Bhanu Giri died.
However, police has not added Section 302 of IPC as yet.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and has further
drawn my attention towards Annexure-2 which is affidavit
sworn by wife of the deceased, Bhanu Giri in which she has
stated that informant, Bhanu Giri, has committed suicide.
Learned counsel for the petitioner further submits that in



subversion, DSP has also found that the deceased Bhanu Giri has committed suicide.

Learned counsel for the State opposes the prayer for bail and submits that the statement made by the injured informant is of the kind of dying declaration and the injured informant has himself given the statement in the hospital before the police that the kerosene was pored upon him by the petitioner, Ram Niwas Yadav and Ram Niwas Yadad has set him on fire due to which the informant has received burn injury and ultimately he died during the course of treatment.

After having heard learned counsel for the petitioner as well as State and upon perusal of the First Information Report as well as materials available on record, it is evident that the injured informant has got recorded his fardbeyan in the hospital itself before the police in which he has specifically taken the name of the petitioner who after pouring kerosene has set the petitioner on fire. Accordingly, I am not inclined to grant anticipatory bail to the petitioner, therefore, the prayer for anticipatory bail on behalf of the petitioner is hereby rejected.

sanjeev/-

U		T	
---	--	---	--

(Anil Kumar Sinha, J)

