

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20534 of 2019

Arising Out of PS. Case No.-117 Year-2018 Thana- JALALGARH District- Purnia

NURUDDIN Son of Suleman Resident of Mohalla - Begampur, Fakir Tola,
P.S.- Jalaigadh (Jalalghdh), Distt - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 08-04-2019 This matter was taken up on 04.04.2019 and after hearing the parties, orders were passed in Court granting anticipatory bail to the petitioner on the strength of the submission of the petitioner that this case was almost identical as that of co-accused Jamtulla @ Md. Jaytulla and others who had already been granted anticipatory bail by this Court in Cr. Misc. No. 5763 of 2019.

2. Before the anticipatory bail order was signed however, it transpired that as a matter of fact the case of the petitioner is quite distinct from other co-accused persons who had been granted anticipatory bail. In their cases, it was noticed that the thrust of accusation of setting the informant's house on fire was against the petitioner. A perusal of the First Information Report discloses that there is direct accusation against the



petitioner of having sprinkled kerosene oil and setting the informant's house on fire.

3. In the above circumstances, the order passed on 04.04.2019 in Court relying upon the wrong submission of learned counsel for the petitioner that his case was similar to other co-accused, is recalled.

4. Learned counsel for the petitioner submits that there is delay in filing the FIR. The petitioner claims clean antecedents.

5. Having regard to the specific accusation that it was the petitioner who set the house of the informant on fire, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The petition stands dismissed.

(Vikash Jain, J)

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