

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43335 of 2019**

Arising Out of PS. Case No.-57 Year-2019 Thana- TARABARI District- Araria

Phoolleshwari Devi Wife of Domri Yadav @ Domar Lal Yadav, resident of village - Sharanpur (Matnaza) Ward No. 04, Police Station- Tarabari, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 03-09-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 326 A, 504 & 506/34 of the Indian Penal Code.

Petitioner is said to have poured hot water on the wife and grandson of informant intruding into his house.

Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. The petitioner is quite innocent and has been falsely implicated in this case due to animosity. There is no independent witness of the occurrence. Opinion regarding the nature of injury has not been brought on record. Petitioner has no criminal antecedent.



Per contra, learned APP for the State vehemently opposing the bail petition submitted that there is direct allegation against the petitioner of pouring the hot water upon the wife and grandson of the informant. The witnesses in various paragraphs of the case diary has supported the occurrence. Both the victims have sustained 18% burn injuries on their person.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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