

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52461 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- RAJAPAKAR District- Vaishali

1. CHANDRA MOHAN RAI Son of Shankar Rai Resident of Village - Dayalpur, P.S.- Rajapakar, Distt - Vaishali.
2. Shankar Rai Son of Ram Prasad Rai Resident of Village - Dayalpur, P.S.- Rajapakar, Distt - Vaishali.
3. Manoj Rai Son of Shivnath Rai Resident of Village - Gosai Tola, P.S.- Patliputra, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Surendra Kishore Thakur Ms. P. Kumari
For the Opposite Party/s :		Mr.Pawan Kumar Chaurasia
For the informant		Mr. Ravinesh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Rajapakar (Baranti O.P.) P.S. Case No. 91 of 2019, disclosing offences under Sections 436, 341, 342 and 307/34 of the Indian Penal Code.

The petitioners are in-laws of the informant. The informant is himself facing a criminal case under Section 498A of the IPC.

Learned counsel for the petitioners has submitted that the case of the prosecution is apparently malicious and



revengeful. According to her, the story, as narrated in the FIR, is highly improbable.

Learned counsel for the informant has vehemently opposed the prayer for anticipatory bail and has submitted that considering the seriousness of the allegation, the petitioners do not deserve the privilege of anticipatory bail.

On perusal of the FIR, I find that there is allegation that when the informant was sleeping in his house, he felt discomfort, because of which he got up. He peeped through the window and saw these petitioners and his father-in-law setting his house on fire after pouring petrol. They are also said to have poured petrol on the informant and his wife, who sustained burn injuries.

Considering the nature of allegation made in the FIR and admitted pendency of another criminal case against the informant, I find some substance in the submission made on behalf of the petitioners.

This application is accordingly allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of



the learned Additional Chief Judicial Magistrate,-XIII, Vaishali at Hajipur in connection with Rajapakar (Baranti O.P.) P.S. Case No. 91 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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