

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3175 of 2020

Arising Out of PS. Case No.-145 Year-2019 Thana- BARAUNI District- Begusarai

GORAKH SAH Son of Chalu Sah Resident of Village - Jemra, P.S.- Barauni
(Refinery), District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Gautam

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 02-03-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Barauni (Refinery) Police Station Case No. 145 of 2019, disclosing offences under Sections 341/323/436/307/504/506/34 of the Indian Penal Code.

The allegation against the petitioner, as per the First Information Report, is that on the date of occurrence, three accused persons, namely, Pravin Sah, Babloo Sah and Gorakh Sah entered into the house of the informant and abused him. It has further been alleged that when the villagers came to intervene in the matter, the petitioner threatened the informant that he would eliminate all the family members of the informant by setting them on fire. It has further been alleged that in the night of the date of occurrence, Pravin Sah and Babloo Sah



sprinkled kerosene oil in the house of the informant and set the same on fire, causing injuries to the informant and his family members.

Learned Counsel for the petitioner submits that there is land dispute between the parties which would be evident from perusal of the First Information Report itself. He next submits that the First Information Report is in two parts and in the first part, the only allegation against the petitioner is that he threatened the informant of dire consequences. He further submits that no overt act has been alleged against this petitioner in the second part.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there appears to be land dispute between the parties and no specific allegation of any overt act has been alleged against this petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Barauni (Refinery) Police Station Case No. 145 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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