

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40377 of 2020

Arising Out of PS. Case No.-171 Year-2020 Thana- BAHERA District- Darbhanga

DEO NARAYAN SAH @ DEO NARAYAN SAHU Son of Late Maksudan
Sah Resident of Village- Motipur, Police Station- Bahera, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-01-2021 Heard Mr. Jagdish Prasad Singh, learned counsel for
the petitioner and Mr. Nawal Kishore Prasad, learned Additional
Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Bahera P.S. Case No. 171 of 2020 registered for the offences
punishable under Sections 341, 323, 307, 504 and 506/34 of the
Indian Penal Code 1860.

The allegation as per the First Information Report is
that the petitioner along with other co-accused persons armed
with *lathi*, *danda*, arrived at the door of the the informant and
abused her. It has further been alleged that the petitioner brought
the gallon of kerosene oil and on his order, his wife poured it on
the informant and co-accused Kanchan Kumari set the
informant on fire.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no overt act has been attributed against the petitioner. The allegation of setting fire is against the co-accused Kanchan Kumari. Learned counsel further submits that the fact of the matter is that the husband of the informant namely, Ram Kishore Mahto, was having illicit relationship with co-accused Kanchan Kumari which was being objected by the informant, as a result of which, argument took place between the informant and her husband and due to scuffle, the informant herself put her on fire and sustained injury. Learned counsel referring to Annexure-2 submits that the injury caused to the informant is simple in nature. Learned counsel also submits that the Police has submitted charge sheet under Sections 341, 323, 324, 504 and 506 of the Indian Penal Code and not under Section 307 of the Indian Penal Code. Petitioner is in custody since 22.8.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that charge sheet has already been submitted and the petitioner is in custody since 22.8.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bonds of Rs.10,000/-
(Ten thousand) with two sureties of the like amount each to the
satisfaction of learned Additional Chief Judicial Magistrate,
Benipur, Distt. Darbhanga, in connection with Bahera P.S. Case
No. 171 of 2020.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

S.Ali/-

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

