

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41344 of 2022

Arising Out of PS. Case No.-679 Year-2020 Thana- SONEPUR District- Saran

1. RAJESHWAR RAI @ JHARI RAI S/O LATE RADHO RAI Resident of Village- Chakapshad, P.S.- Sonapur, District- Saran.
2. BITTU KUMAR S/O ANIL RAI Resident of Village- Chakapshad, P.S.- Sonapur, District- Saran.
3. BABBAN KUMAR S/O ANIL RAI Resident of Village- Chakapshad, P.S.- Sonapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 448, 436, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that accused persons came to her house, further Anil was carrying a tin with kerosene oil, next it is alleged that Rajeshwar and Baban started sprinkling kerosene oil and Bittu and Baban set the house ablaze, further alleges that earlier on account of



fight, brother of Anil had died during course of treatment.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that since brother of Anil had died on account of fight with the side of the informant for which an F.I.R. was also instituted being Sonapur P.S. Case No. 553 of 2020 dated 24.07.2020 (Annexure-2). It is next submitted that falsity of the allegation would manifest from the fact that the date of occurrence is 21.08.2020 and the F.I.R. has been instituted on 13.09.2020 i.e. after a delay of nearly more than 23 days and that too based on a written application of the informant which creates doubt with regard to the veracity of the allegation as alleged in the F.I.R.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners and the fact that there is an inordinate delay in instituting the F.I.R. the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned trial court where
the case is pending/successor court in connection with Sonapur
P.S. Case No. 679 of 2020 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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