

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50452 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- KATRA District- Muzaffarpur

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BELA KUMAR @ KUNAL KUMAR S/o LAL SINGH @ LALBABU
SINGH R/o VILLAGE-NAWADA, P.S-KATRA, DISTRICT-
MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr. J.N. Thakur

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Sessions Trial No. 59 of 2021 arising out of Katra PS Case No. 190 of 2020 registered for the offence punishable under Sections 326 , 307 of the IPC and charge sheet submitted under Section 302 of the IPC.

The allegation against the petitioner is that he poured kerosene oil on the body of the informant and set him ablaze.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to previous dispute between the petitioner and the informant which would be evident from the First Information Report itself that the informant had slapped petitioner on the date just prior to the occurrence. He next submits that from perusal of the First Information Report it would be evident that informant has merely stated that when the informant / deceased was being set on fire he woke up and saw that the petitioner was standing near his bed.



Learned counsel next submits that statement of the informant's son was recorded in which he has stated that deceased has told him that the petitioner was seen fleeing away from the place of occurrence. Accordingly, submission is that there is contradiction between the statement of the victim / informant and the son of the informant. He next submits that petitioner is the neighbour of the informant and he is in custody since 27/08/2020.

Regard being had to the submissions made by the parties, taking into consideration the nature of allegation, the fact that informant himself is the victim and has given *fardbyan* in the hospital where he was admitted with burn injuries in which he has specifically disclosed the name of the petitioner, as such, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for grant of bail is rejected.

Let the trial be expedited.

(Anil Kumar Sinha, J)

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