

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48729 of 2023

Arising Out of PS. Case No.-63 Year-2020 Thana- THAKURGANJ District- Kishanganj

1. Md Firoz @ Firoz Ahmad Son of Noor Hussain Resident of village - Bhogdabar, ward no. 08, P.S. - Thakurganj, Distt. - Kishanganj
2. Shahbaz @ Shahbaz Alam Son of Noor Hussain Resident of village - Bhogdabar, ward no. 08, P.S. - Thakurganj, Distt. - Kishanganj
3. Afsarul @ Absarul Haque Son of Noor Hussain Resident of village - Bhogdabar, ward no. 08, P.S. - Thakurganj, Distt. - Kishanganj
4. Ansar @ Ansarul Haque @ Md. Ansar Alam Son of Noor Hussain Resident of village - Bhogdabar, ward no. 08, P.S. - Thakurganj, Distt. - Kishanganj
5. Noor Hussain @ Md. Noor Hussain Son of Ate Amiruddin Resident of village - Bhogdabar, ward no. 08, P.S. - Thakurganj, Distt. - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in Thakurganj P.S. Case No. 63 of 2020 registered for the offences punishable under Sections 436, 379, 34 of the Indian Penal Code pending in the Court of learned Chief Judicial Magistrate, I/c Kishanganj.



3. As per prosecution case, due to rivalry of election, petitioner has put the shop of the informant on fire in which all the articles and laptop worth rupees several lacs got damaged due to fire.

4. Learned counsel for the petitioners submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that his shop is also near the informant's shop and there is no eye-witness on the incident. Petitioners made accused in this case only on the basis of suspicion. Petitioners have no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State vehemently opposing the bail petition by submitting that from the impugned order, it is clear that burnt articles, kerosene oil has been found from the place of occurrence and witnesses in para-10 and 11 have supported the prosecution case.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners are hereby rejected. Considering the fact that petitioners have no criminal antecedent, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the



learned Court below would pass order on the same day in
accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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