

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4189 of 2024

Arising Out of PS. Case No.-145 Year-2016 Thana- HATHAURI District- Muzaffarpur

1. Rizwan S/O Late Suleman R/O Village- Khanpur, P.S- Hathauri, Distt.- Muzaffarpur.
2. Jalauddin S/O Late Shabir R/O Village- Khanpur, P.S- Hathauri, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 436, 307, 506 of the Indian Penal Code as well as under Section 27 of the Arms Act.

3. Prosecution case is that while the informant was sleeping, in the meanwhile, someone sprinkled petrol behind his house and set fire, in which, five cows, goat etc. as well as paddy crops were burnt and this petitioner alongwith others were seen fleeing away from there.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to dirty village politics. He submits that there is no



specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that the informant is not the eye witness of the case nor he raised the name of the person who doused the petrol. He submits that similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 07.02.2024 passed in Cr. Misc. No. 1231 of 2024. He further submits that petitioners have criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hathauri P.S. Case No. 145 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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