

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31108 of 2024

Arising Out of PS. Case No.-373 Year-2022 Thana- HARLAKHI District- Madhubani

Md. Kamre Alam S/o Md. Sahibul R/o vill - Bela Parsa, P.S. - Harlakhi, Distt.
- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ravi Ranjan, Advocate
For the State : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-08-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 307 and 34 of the Indian Penal Code.

3. As per prosecution case, on 26.10.2022 at around 8:30 PM, while the informant along with others was having picnic at the Chowk, in the meanwhile, this petitioner, along with 4 to 5 unknown persons, arrived there and scattered all the articles. It is further alleged that on protest, they sprinkled petrol on the mat and set it on fire and thereafter, when the informant started extinguishing the fire, this petitioner threw petrol on his body due to which he sustained burn injuries. It is further alleged that this petitioner also assaulted on head of informant by means of bamboo causing cut injury.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated in this case due to village politics. Informant is nephew (*bhagina*) of this petitioner and they are close door neighbors. As a matter of fact, on the alleged date and time of incidence, the informant and others were enjoying feast and burning crackers and during the same, they received burn injuries. It is further submitted that as per the injury report, the informant received thermal burn and nature of injury is simple, which itself falsifies the entire prosecution case. Moreover, the alleged occurrence took place on 26.10.2022, however, the *fardbeyan* was registered on 09.11.2022, after an inordinate delay of 15 days and there is no explanation for the same. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner



be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, Benipatti, Madhubani, in connection with Harlakhi P.S. Case No. 373 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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