

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42387 of 2025**

Arising Out of PS. Case No.-70 Year-2025 Thana- DAGARUA District- Purnia

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Md. Hasim @ Hasi S/O Sheikh Nasir @ Late Md. Nasiruddin R/O Village-
Dubaili, PS- Dagarua, Distt-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned

A.P.P for the State. Learned counsel for the informant appeared

suo-motu in this case.

2. The petitioner is apprehending arrest in connection
with Dagarua P.S. Case No. 70 of 2025 lodged on 01.03.2025,
for the offence punishable under Sections 105, 110 & 287 of the
Bharatiya Nyaya Sanhita, 2023 pending in the Court of Chief
Judicial Magistrate, Purnea.

3. As per the prosecution, FIR has been lodged against
the sole petitioner. It has been alleged in the FIR that the
petitioner used to illegally store and sell petrol, diesel and
kerosene from his house and when the informant's father visited



the petitioner's house, suddenly leakage of the domestic gas started which resulted into fire and as a result, the informant's father was burnt and then he was referred to PMCH, but during treatment, informant's father died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner is an old person aged about 76 years and the alleged occurrence was accident and not intentional. Counsel submits that the petitioner has one criminal antecedent in which he is on bail.

5. Learned counsel appearing for the informant vehemently opposes the prayer for bail and submits that as per the FIR, it is clear that the occurrence took place on 22.02.2025. After occurrence, the petitioner promised that he will not do such illegal work of selling kerosene, petrol and diesel in future. But after few days, he again started selling the same due to which, the alleged accident took place. Counsel submits that only due to this reason that when petitioner disobeyed the *panchayati*, the present case has been filed on 01.03.2025.

6. Learned A.P.P for the State opposes the prayer for bail of the petitioner and submits that as per para 20 of the case diary, it has come that the petitioner sells illegal kerosene, petrol



and diesel products.

7. In the present facts and circumstances, it transpires to this Court that the petitioner is a highly negligent person who after occurrence of such thing has again started selling the petroleum products. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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