

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35390 of 2015

Arising Out of PS.Case No. -49 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Ajay Sah, son of Bitan Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Nirmala Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 21-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 436/34 of the Indian Penal Code.

It is alleged that accused persons including the petitioner set the informant's house on fire.

It is submitted by learned counsel for the petitioner that as per own averments of the informant she woke up after litting fire, hence, she could not identify the accused persons and on suspicion the petitioner has been named in the First Information Report. The petitioner is agnate of the informant and there was land dispute between the parties from before. The brother of one of the co-accused Ajay Sah has lodged Motihari Muffasil P.S. Case No.359 of 2013, levelling accusation under sections 147,

341, 323,324,326,380 and 504 of the Indian Penal Code on 06.10.2013 against the son of the informant and other family members. Hence, the present case has been lodged. Moreover, similarly situated co-accused Rama Sah has been granted anticipatory bail by a co-ordinate bench of this court vide Criminal Miscellaneous No.31972 of 2015. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sadar, Motihari in connection with Muffasil P.S. Case No.49 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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