

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29567 of 2015

Arising Out of PS.Case No. -230 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Mahboob Khan @ Mahboom Khan Son of Late Sakur Khan Resident of Mohalla - Bari Dargah Par Nawada , Shekh Toli, P.S.- Nawada, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Hasan Jha Khan son of Late Atijan Khan resident of village- Bari Dargah par Nawada Sheikh Toli , P.S.- Nawada, District- Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the Opposite Party/s : Mr. Parmanand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-07-2015 Heard learned counsel for the petitioner and learned
A.P.P for the State.

Petitioner apprehends his arrest in a case registered
under sections 436, 323, 504 of the Indian Penal Code.

The prosecution case in short is that the complainant was
at his home and suddenly fire started catching in the roof of his house and
when he came from his home accused Mahboob Khan was fleeing away
from the home of the complainant which is situated adjacent to the house of
the Mahboob Khan. It is also alleged that there were several trees in the
orchard of the Mahboob Khan and the petitioner collected the leaves of the
trees adjacent to wall of the complainant and when he was collecting leaves
all the witnesses seen accused set fire in the leaves with match stick and
came out from the house due to which fire caught of the complainant as a

result of which T.V. one fan, two mobile one stabilizer and set of box all clothes values Rs. 170000/- were burnt.

It is submitted on behalf of the petitioner that petitioner has no criminal antecedent. Further it is submitted that it is a case of accidental fire due to which damage has been caused. Petitioner has no intention to cause fire. Petitioner has been made accused due to mistake of fact.

On behalf of the State it is submitted that petitioner is named in the complaint petition.

Considering the aforesaid facts, the above named petitioner in the vent of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in Complaint Case No. 230 of 2015, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Sudhir Singh, J)

M.Rahman/-

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