

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8939 of 2015

Arising Out of PS.Case No. -253 Year- 2012 Thana -DESARI District- VAISHALI (HAJIPUR)

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Md. Nazim Ali @ S.M. Nazim Ali @ Syed Md. Nazim Ali Son of Late Md. Mustafa resident of village - Dubha, P.S. Desari (Sahdei), District - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Narayan, Advocate.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-03-2015

Heard both sides.

The petitioner seeks bail in a case under Section 436 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The gist of the allegation against the petitioner is that the petitioner sprinkled Kerosene Oil and thereafter Md. Nazim is said to have set ablaze the house of the informant.

It is submitted that there is land dispute between the parties. A proceeding under Section 144 Cr.P.C. was initiated vide Case No. 132 of 2008 with regard to Khesra No. 1391, Khata No. 139. Title Suit No. 987 of 2012 is pending in the court of Sub Judge III, Hajipur. The informant is the defendant no. 1 in the case but he executed a power of attorney in favour of one Rajendra Rai to sell the land. The petitioner is in possession of the land. The

informant herself set blaze the house and lodged this false case.

Having considered the facts aforesaid, the above named petitioner is directed to 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 the learned Chief Judicial Magistrate, Vaishali, Hajipur in Desari (Sahdei) P.S. Case No. 253 of 2012.

(Prabhat Kumar Jha, J)

Dilip/-

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