

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50131 of 2016

Arising Out of PS.Case No. -553 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

Keshav Sah, son of Late Tufani Sah, resident of village-Mustafapur, P.S.
Ahiyapur, District-Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Arun Kumar, Advocate

For the Opposite Party : Smt. Anita Kumari Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-11-2016

Heard the learned counsel for the petitioner and the
learned APP for the State.

Petitioner is languishing in custody since 18.09.2016
in connection with Ahiyapur P.S.Case No.553 of 2016 registered
for offence punishable under Sections 436, 504 and 506 of the
Indian Penal Code.

The prosecution case in short is that on 20.07.2016
her villager Keshav Sah was standing beside her house opening
his pant and the informant prohibited, then he started to abuse and
threatened to set fire in her house. It is further alleged that on
23.07.2016, the informant had come to her temporary house
situated at Mithanpura, and getting the benefit of her absence,
petitioner set her house on fire and articles, ornaments, pots and
other material were burnt to ashes.

It has been submitted by learned counsel for the petitioner that he is innocent and has falsely been implicated in the aforesaid case out of suspicion and previous enmity. He submits that the FIR has been lodged after more than one month of the alleged date of occurrence and chargesheet has already been submitted against the petitioner, hence there is no chance of tampering with the evidence and the petitioner has got no criminal history.

However, learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

Be that as it may, since the FIR has been lodged one month after the alleged date of occurrence, chargesheet already having been submitted and also considering the period of custody, let the above named petitioner be released 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 CJM, Muzaffarpur in connection with Ahiyapur P.S.Case No.553 of 2016.

(Nilu Agrawal, J)

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