

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35853 of 2016**

Arising Out of PS.Case No. -68 Year- 2016 Thana -BARSOI District- KATIHAR

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1. Md. Sabir, Son of Amiruddin  
2. Minnat, son of Md. Sabir Both resident of village- Dachna, P.S. Barsoi,  
District- Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      06-09-2016      Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 447,436,428 and 506/34 of the Indian Penal Code.

The prosecution case is that the accused persons including the petitioners put the house, store and fodder godown of the informant on fire while the informant and family members were sleeping inside but subsequently with the help of the neighbours the informant and his family members came out of the house.

It is submitted by the learned counsel for the

petitioners that admittedly the informant and his family members did not receive any injury. The seizure list depicts only one small half burn bamboo piece and three small pieces of clothes which suggest that the fire was actually not lit in the residential house. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

It is submitted by learned counsel for the informant that the petitioner was seen escaping from the place of occurrence.

Considering the nature of accusation and the nature of seizure coupled with the Statement made in paragraph 3 of the petition that the petitioners have no criminal antecedent, it is a case for consideration of the prayer for bail of the petitioners by the learned court below in case the petitioners surrender within six weeks from today in connection with Barsoi P.S. Case No. 68 of 2016 pending in the court of learned CJM, Katihar.

This application is disposed of with the aforesaid observation/direction.

**(Dinesh Kumar Singh, J)**

Anil/-

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