

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17140 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -SHAMBHUGANJ District- BANKA

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1. Sumesh Yadav, Son of Late Kuldip Yadav,
 2. Gokul Yadav @ Gokhul Yadav, Son of Sumesh Yadav,
 3. Sanjeev Yadav, Son of Sumesh Yadav,
 4. Nilesh Yadav @ Nilesh Kumar, Son of Sumesh Yadav, All Resident of Village- Choutra, Police Station- Shambhuganj, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 01-08-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Shambhuganj P.S. Case No. 07 of 2017, registered under Section 436/34 of the Indian Penal Code.

The allegation of informant is that, on 10.01.2017, after taking dinner he went to sleep at Bathan and his wife Maya Devi slept in Phush home. At about 11 P.M., informant saw that his phush house was burning then he raised alarm and anyhow he removed his wife to phush house but the cot and other household articles burnt. Informant raised suspicion against his younger



brother, Sumesh Yadav (petitioner no. 1) and his three sons (petitioner nos. 2, 3 and 4) about putting fire on his phush house as four days earlier Sumesh Yadav asked to execute the sale deed of his land as he has no issue then he refused but his brother (petitioner no. 1) threatened him to kill by burn.

Learned counsel for the petitioners submits that petitioner no. 1 is the brother and petitioner nos. 2 to 4 are nephew of the informant and they have falsely been implicated in this case mere on suspicion. Further submission is that up to paragraph 76 of the case diary none of the witness has claimed to see the occurrence.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Banka, in connection with Shambhuganj P.S. Case No. 07 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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