

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21363 of 2017

Arising Out of PS. Case No. -44 Year- 2017 Thana -GARKHA District- SARAN

- =====
1. Naresh Mahto @ Ram Naresh Mahto, Son of Late Shiv Gulam Mahto
 2. Ramesh Mahto, Son of Naresh Mahto
- Both residents of village - Pithaghat Rampur, P.S. - Garkha, District - Saran at Chapra.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar – 1, APP

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 13-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners, who are father and son, apprehend their arrest in a case registered for the offence under Sections 436/34 of the Indian Penal Code.

The informant alleged that on account of dispute, the petitioners burnt his house in the morning of 02.02.2017, for which the informant has suffered a heavy loss, due to burn of clothes, jewelleryes, food-grains, bed and other house-hold articles, kept in the house.

Learned counsel for the petitioners submits that the informant has not seen the occurrence and the witnesses, who have seen the occurrence, have made their statements after two months



of the occurrence.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today the petitioners, above named, be released on bail on furnishing bail bond of Rs.7000/- (Seven thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, Saran at Chapra in connection with Garkha P.S. case no. 44 of 2017 subject to the conditions as laid down under Section 438 (2) Cr.P.C. with the further condition that one of the sureties would be in form of cash deposit. The petitioner no.2 would not be physically absent for two consecutive dates, at stretch, till one witness is examined in the trial.

(Samarendra Pratap Singh, J.)

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