

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54129 of 2018

Arising Out of PS.Case No. -120 Year- 2018 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Nishant Kumar @ Munnu Kumar @ Nishant Priyadarshi S/o Motilal Prasad, R/o Vill.- Amwa Majhar, Mauze Tola, P.S.- Bettiah Muffasil, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mrs. Gulnar Begam, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-10-2018 Heard learned counsel for petitioner and learned A.P.P.
for the State.

Petitioner seeks bail in Muffasil P.S. Case No. 120/2018,
registered for the offence punishable under Section 436 of the
Indian Penal Code.

It is alleged that petitioner came in drunken state and set
the shop of informant and others on fire after sprinkling petrol, as
a result many articles kept in the shops turned into ashes.

It has been submitted that petitioner has falsely been
implicated in this case due to business rivalry. No date and time of
occurrence is mentioned in the F.I.R. There is no eye-witness of
the occurrence.



Petitioner has no criminal antecedent. He is in custody since 17.07.2018.

Learned A.P.P. however, vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid, the petitioner above-named, 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 Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah Muffasil P.S. Case No. 120/2018, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds.
- (3.) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for



cancellation of bail of the petitioner.

(S. Kumar, J)

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