

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27225 of 2019**

Arising Out of PS. Case No.-368 Year-2018 Thana- KADWA District- Katihar

SANTOSH KUMAR VISWAS Son of Birendra Bishwas @ Viren Bishwas  
Resident of Village- Kadwa, P.S.- Kadwa, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Radha Mohan Singh  
For the Opposite Party/s : Mr.Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      12-07-2019                      Heard learned counsel for the petitioner and the  
  
State.

The petitioner seeks bail in **Sessions Trial No. 49 of 2019 arising out of Kadwa P.S. Case No. 368 of 2018**, instituted for the offence under Section(s) 436, 427 and 307 of Indian Penal Code.

Counsel for the petitioner submits that mere suspicion has been raised against petitioner by the informant.

It is alleged in the written report that informant is permanent resident of Kadwa. Her husband is working as labourer in Punjab. On the date of occurrence, the informant along with her three children was sleeping in the house. She woke up on hearing *hulla*. She found that fire has taken place in the house. She anyhow with the help of villagers saved herself



and her children. The articles as mentioned in the written report was burnt in the fire. She learnt from the villagers that petitioner along with his nephew has set her house on fire.

Learned A.P.P. after looking into the case diary has submitted that in the entire case diary besides confession of the petitioner, there is no eye witness of the occurrence.

Petitioner is in custody since 27.10.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, 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 Sessions Judge, Fast Track Court II, Katihar**, in connection with **Sessions Trial No. 49 of 2019 arising out of Kadwa P.S. Case No. 368 of 2018**, subject to the condition that both the bailors will be close relatives of the petitioner.

**(Sanjay Priya, J)**

S.Ali/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

