

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36595 of 2019**

Arising Out of PS. Case No.-480 Year-2018 Thana- BAIRIYA District- West Champaran

AKHILESH SAH Son of Bharat Sah Resident of Village - Tadhwanandpur,
Turha toli, P.S.- Bairiya, Distt - West Champaran ... Petitioner
Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar No 7, Advocate
For the Opposite Party : Mr.Nagendra Prasad, Addl Public Prosecutor

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

3 04-09-2019 Heard learned counsel for the petitioner, the State as well as perused the case diary.

Petitioner is an accused in a case registered for the offence under sections 341, 427, 436, 379, 506/34 of the Indian Penal Code.

Petitioner and two other accused persons opened the door of the hut/shop of the informant, petitioner took out Rs.22,000/- from the *almira* kept there and then all the accused persons set the hut on fire.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village politics. He has no criminal antecedent, nothing incriminating has been recovered from his possession, charge sheet has already been submitted and he is in custody since 26.2.2019. Further, offence under section 436 of the IPC is not attracted as



the burnt hut was not a dwelling house rather it was a shop.

Considering the facts of the case, 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 the Additional Chief Judicial Magistrate VII, West Champaran at Bettiah in Bairiya Police Station Case No. 480 of 2018, subject to the condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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