

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36402 of 2019

Arising Out of PS. Case No.-535 Year-2018 Thana- COMPLAINT CASE District- Araria

1. KAMLESHWAR PRASAD SINGH S/o Late Jagdev Prasad Singh
2. Devendra Prasad Singh S/o Late Jagdev Prasad Singh
3. Pinki Devi W/o Kamleshwar Prasad Singh
All Resident of Village- Koyari Tola, Araria Municipal Corporation, Ward No. 4, P.S.- Araria R.S., District- Araria.
4. Mukesh Kumar Sah S/o Lal Babu Sah Resident of Aayra Jewellers, Koyari Tola, Araria Municipal Corporation, Ward No. 4, P.S- Araria R.S., District- Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bina Devi W/o Ravindra Prasad Singh Resident of Koyari Tola, Araria Municipal Corporation Ward No. 4, P.S.- Araria R.S., District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-08-2019 The petitioners apprehend their arrest in connection with Complaint Case No. 535C of 2018 registered under Sections 436/34 of the Indian Penal Code.

Allegation against the petitioners, as per complaint, is that complainant woke up due to barking of dogs in the night and saw that all four accused persons under the influence of liquor threw petrol and set the hut of the complainant on fire and thereafter entered the house constructed by late father-in-law of the complainant.



Learned counsel appearing on behalf of the petitioners submits that petitioners have been implicated in the present case based upon a concocted story with oblique motive inasmuch as complainant and the petitioners are closely related. He further submits that petitioner nos. 1 and 2 are Dewar, petitioner no. 3 is wife of petitioner no. 1 and petitioner no. 4 is tenant. He further submits that there is land dispute between the parties and the present complaint has been lodged after a delay of about two days from the alleged date of occurrence. Learned counsel further submits that from perusal of the complaint, it is evident that allegation against the petitioners is not putting the dwelling house of the complainant on fire .

After having heard learned counsel for the parties and taking into consideration the fact that both parties are closely related and there is land dispute between them, I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Complaint Case No. 535C of



2018; subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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