

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77452 of 2019**

Arising Out of PS. Case No.-539 Year-2018 Thana- SUPAUL District- Supaul

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KUSHESHWAR YADAV @ Kushewar Yadav Son of Late Chaudhari Yadav
Resident of Village - Balwa, P.S. and District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav
For the State : Mrs. Anita Kumari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 16-03-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

This is an application for grant of anticipatory bail in connection with Supaul P.S. Case No. 539 of 2018, registered for the offence punishable under Sections 448, 341, 436, 504 and 34 of the Indian Penal Code.

The allegation is regarding the petitioner having arrived at the house of the informant and thereafter, he along with other accused persons are stated to have lit the hut of the informant on fire, where the informant's son, daughter-in-law and their children were sleeping, with an intention to kill them, however, on account of intervention by the local people, the said persons were saved, nonetheless, the hut is stated to have got burnt.

The learned counsel for the petitioner has submitted that



the police has filed a final form dated 29.1.2019 on account of lack of evidence against the petitioner herein. The learned counsel for the petitioner has further submitted that the petitioner is having a clean antecedent and apparently, he has been falsely implicated in the present case. Lastly, it is submitted that the petitioner has approached this Hon'ble Court inasmuch as he apprehends arrest since the learned court below has differed from the final form, filed by the police and has taken cognizance of the offences alleged, whereafter summons have been issued.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the fact that the police has found no evidence and has submitted final form dated 29.1.2019, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of



learned A.C.J.M.-II, Supaul in connection with Supaul P.S. Case
No. 539 of 2018, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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