

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13770 of 2021**

Arising Out of PS. Case No.-53 Year-2020 Thana- BHAGWANPUR District- Vaishali

MD UMAR S/O Late Jainul Haque Resident of Village - Shahmiyan Rohua,
P.S. - Bhagwanpur, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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

2 30-06-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Bhagwanpur P.S. Case
No. 53 of 2020, registered for the offence punishable under
Sections 436,506 of the Indian Penal Code.

As per the prosecution case, this petitioner along with
family members were seen in suspicious condition near the
house of informant at about 2.00 am. After some time,
informant saw that smoke was coming from his house. On hulla
nearby people came and extinguished the fire. During
extinguishing the fire, they saw that kerosene oil was poured on
all the door, windows. It is alleged that the person who were



seen by the informant standing towards his house, had set fire in his house.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case merely on suspicion. There is land dispute between the parties. Nobody has seen the occurrence including the informant and since petitioner and others were seen standing near the house of informant they have been implicated in this case. Petitioner claims clean antecedent and he is in custody since 29.09.2020. Investigation is complete.

Considering the facts and circumstances of the case, 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 53 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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