

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19132 of 2021

Arising Out of PS. Case No.-116 Year-2020 Thana- NAANPUR District- Sitamarhi

=====

JAGDISH RAM S/O LATE SAGUNI RAM R/O VILLAGE BIRAR, P.S.
NANPUR, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ratneshwar Prasad, Adv.
For the Informant	:	Mr. Dinesh Jha, Adv.
For the State	:	Dr. Indiwar Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 436 and 427 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that the petitioner who was employed to look after the poultry farm, in conspiracy with others, burnt the poultry farm causing damage to the tune of Rs.12 lacs to the informant. It is further stated that initially the petitioner had given incorrect information to the informant about the damage having been caused by unknown accused persons and thus, the delay in filing of the F.I.R.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case which may be due to differences between the petitioner and the informant over his wages. For an occurrence, which is stated to have taken place on 5.3.2020, the instant F.I.R. was registered on 11.4.2020 making bald allegations against this petitioner as also without disclosing the source of his information. The petitioner is in custody since 29.6.2020 and has no criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the F.I.R. but there is direct allegation against him of having committed criminal breach of trust and having burnt the poultry farm of the informant when he had been employed to look after the same. The delay in lodging of the F.I.R. has duly been explained in the F.I.R. Even in the panchayati held, the petitioner agreed to compensate the loss incurred by the informant. The case has been found to be true in investigation. Hence, the prayer for bail be rejected.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the



petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Nanpur P.S. Case no.116 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Pupri, Sitamarhi.

It is directed that the petitioner shall cooperate in the trial.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

