

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32990 of 2021

Arising Out of PS. Case No.-297 Year-2020 Thana- MAKHDUMPUR District- Jehanabad

AKHILESH YADAV Son of Late Shivlal Yadav Resident of Village- Chandu
Bigha, P.S.- Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Babu, Adv

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-10-2021 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 436, 437, 504, 506/34 of the Indian Penal Code.

Informant in his written complaint has alleged that on 28.07.2020 at about 3:00 pm his brother Akhilesh Yadav abused him and also threatened him to teach a lesson and thereafter after having meal with his family members he slept and at about 2:00 am in the night he saw smoke and fire in his house and thereafter went and sprinkled water but property of Rs. 8000/- was burnt and he suspected the same has been done by his brother Akhilesh Yadav.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in this case on the

basis of suspicion and both brother's house is adjacent so it is not believable that petitioner has burnt the house of Informant as same could engulf his house also.

It is further submitted that there is land dispute between the parties. There is no eye witness to the said occurrence and it appears that it was accidental fire and only because relation between brothers are not cordial on the basis of suspicion petitioner has been implicated in this case.

Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his/her arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Makhdumpur P.S. Case No. 297 of 2020**, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(S. Kumar, J)

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