

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29172 of 2020

Arising Out of PS. Case No.-482 Year-2019 Thana- BAHADURPUR District- Darbhanga

KRISHNA KUMAR DAS Son of Ram Brikcha Das Residence of Village -
Haripatti, P.S.- Bahadurpur (Phekla O.P.), Dist.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-01-2021 Heard learned counsel for the petitioner and Mr.
Amitesh Kumar, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Bahadurpur (Fekla O.P.) P.S. Case No. 482 of 2019 registered for the offence punishable under Sections 436/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the informant alleged that his house has been set on fire at 4 O'clock in the morning while he was sleeping in his house. The informant raised suspicion against the FIR named accused persons in commission of offence.

Learned counsel submits that the informant had not seen as to who had set the house on fire, and only suspicion has been raised against the petitioner. The petitioner is in custody since 24.09.2020.



Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner has been named by the informant on suspicion and the alleged occurrence is said to have taken place at 4 O'clock in the morning and there is no claim that the informant had seen the petitioner setting the house on fire, let the petitioner be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur (Fekla O.P.) P.S. Case No. 482 of 2019 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is



found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

The application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

