

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34310 of 2021

Arising Out of PS. Case No.-149 Year-2020 Thana- GWALPARA District- Madhepura

RAHUL KUMAR Son of Sri Jawahar Jha Resident of Village - Nauha, Ward
No. 10, P.S.- Gwalpara, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

Counsel for the petitioner is permitted to make necessary
correction in the cause title of the application in course of the day.

The petitioner is apprehending his arrest in Gwalpara P.S.
Case No. 149 of 2020 registered under Section 436 of the Indian
Penal Code.

The petitioner is alleged to have burnt the house of the
informant. Further he is alleged to have set the crop on fire by
sprinkling petrol.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case due to village politics. The alleged date of occurrence is 14-11-2020 and the case has been instituted on 20-11-2020. The delay in instituting the FIR has not been explained by the prosecution. In the said circumstances, the prosecution story itself appears to be doubtful.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-II, Madhepura in connection with Gwalpara P.S. Case No. 149 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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