

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68990 of 2021**

Arising Out of PS. Case No.-93 Year-2019 Thana- BAHERI District- Darbhanga

ARUN KUMAR YADAV @ ARUN YADAV S/o Mishrilal Yadav R/o village-
Nandapatti, P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 10-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Baheri P.S. Case No. 93 of 2019 instituted for the offences
under Sections 436, 453, 504 and 506/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 09.08.2021, charge-sheet has been
submitted and has antecedent of two cases. Learned counsel
further submits that both the cases were instituted by the present
informant.

The informant alleges that on 09.05.2019, she woke
up at 11:55 A.M. on hearing some sound and saw the petitioner



and his son Nitish Kumar Yadav sprinkling kerosene oil over her thatched house. Further, she saw Anjula Devi handing over a match box to the accused Ram Chandra Yadav who set ablaze the thatched house of the informant on which the informant raised alarm and the people from the vicinity came and extinguished the fire and the accused fled away from the place of occurrence. It is further alleged that food grains, utensils and sleeping materials of the informant were burnt to ashes.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case as earlier the informant had instituted Baheri P.S. Case No. 117 of 2018 against the petitioner and other accused alleging that her house was burnt by the accused person, the police after investigation submitted final form. It is submitted that after submission of the final form, the present petitioner instituted Baheri P.S. Case No. 218 of 2018 against the present informant and her family members. It is submitted that since dispute between the petitioner and the informant is going on for which the informant has instituted two cases as stated aforesaid, as such, the petitioner has been made accused in the present case with false allegation. Learned counsel submits that the FIR does not even remotely suggest the motive for the occurrence nor it



discloses whether the inmates of the house were present when the occurrence had taken place. Learned counsel further submits that co-accused Ram Chandra Yadav has been granted bail by this Court vide order dated 10.03.2022 passed in Cr. Misc. No. 60310 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Darbhanga in connection with Baheri P.S. Case No. 93 of 2019.

(Satyavrat Verma, J)

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