

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.7169 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/sole accused in Crime No.225 of 2022 on the file of Nirmal Town Police Station, Nirmal District, registered for the offences punishable under Sections 435 and 436 of Indian Penal Code.

2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The case of prosecution is that the petitioner and the *defacto* complainant are known to each other since four years. It is further stated that the husband of *defacto* complainant came back from gulf countries for which reason the *defacto* complainant started avoiding the petitioner. Enraged by the said conduct of avoiding, the petitioner entered into the premises of the *defacto* complainant and set fire to the motorcycle. It is further alleged that again on 24.06.2022, the petitioner entered into their house and again attempted to set fire to the motorcycle.

4. Learned Assistant Public Prosecutor submits that there are no other criminal cases pending against this petitioner, however, he has attempted twice to set fire to the motorcycles of the *defacto* complainant for which reason, he cannot be granted bail.

5. As seen from the Remand Report, the petitioner is running Kirana business without any questionable antecedents and he was remanded to judicial custody on 05.07.2022 and is in jail since then.

6. In the said circumstances, the petitioner can be granted regular bail subject to the following conditions:

i) The petitioner/sole accused shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of Additional Judicial Magistrate of first Class at Nirmal.

ii) The petitioner/sole accused, after release shall appear before the concerned Station House Officer, every Monday between 10.00 A.M. to 1.00 P.M. for a period of eight weeks, for the purpose of investigation.

iii) After release the petitioner/sole accused shall not go within 200 meters of the house of the *defacto* complainant, failing which the bail is liable to be cancelled.

iv) The petitioner/sole accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date: 18.08.2022
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.18.08.2022

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