

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19828 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- PASRAHA District- Khagaria

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1. ABHISHEK KUMAR SON OF RAMOTAR SHARMA R/O VILLAGE-
BARI PAIKAT, P.S.- PASRAHA, DISTRICT- KHAGARIA
 2. RAMOTAR SHARMA SON OF LATE SHANICHAR SHARMA R/O
VILLAGE- BARI PAIKAT, P.S.- PASRAHA, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case
instituted for the offence under Sections 436, 506 and 34 of the
Indian Penal Code.

The allegation against the petitioners along with
another is of setting fire in the house/shop of the informant, due
to which the articles of the shop/house of the informant was
burnt and he suffered loss of about Rs. 10-12 lacs. It is further
stated that the accused persons had given threat to the informant
for removing the shop otherwise your shop will be burnt.

It is submitted by learned counsel for the petitioners



that petitioners has been falsely implicated in this case due to business rivalry. They have committed no offence. Petitioner no. 1 is the son and petitioner no. 2 is the father of petitioner no. 1. He submitted that no person has caused harm in the said incident and no any burnt articles found from the place of occurrence. During investigation, it appears from the para-4 of the case diary that the statement of the informant and the statements of witnesses Ant Lal Sharma has stated in his statement, that he had not seen anyone setting fire in the shop/house of the informant. Witness Uchit Thakur has stated in his statement that the peoples were telling that someone set fire in the house/shop of the informant. Therefore, the aforesaid witnesses Ant Lal Sharma and Uchit Thakur are not the eye-witnesses of the alleged occurrence. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 20.01.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Khagaria in connection with Pasraha P.S. Case No. 202 of 2022.

(Sunil Kumar Panwar, J)

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