

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36480 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- PRANPUR District- Katihar

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MUKHTAR ALAM S/O WAKIL UDDIN R/O Village. Khushhalpur, PS.
Pranpur, Dist. Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mr.Anita Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 436, 504, 506 of the Indian Penal Code.

3. The prosecution, in short, is that on 11.01.2023 at about 01:15 PM, in the absence of the informant, petitioner along with two other accused persons set fire on the thatched house of the informant and fled away.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather



general and omnibus in nature. He further submits that the petitioner is ex-husband of the informant and divorce has been taken place between them and only due to personal grudge she filed the present case. It is further submitted that the Investigating Officer has inspected the place of occurrence and found that the fire was taken place outside the boundary due to which some portions of said thatched house were effected. No person saw this petitioner set the said house on fire rather the police himself mentioned that the fire took place in the straw and wood keeping outside the boundary and due to that some portion of said house was effected, hence, no offence under Section 436 of IPC is made out against this petitioner. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court



below where the case is pending/successor Court in connection with Pranpur P.S. Case No. 13 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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