

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68822 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- FESHAR District- Aurangabad

1. Anita Devi wife of Sitaram Yadav Village- Bhadwa Bazar Ps- Fesar Dist- Aurangabad
2. Sita Ram Yadav son of Bilat Yadav Village- Bhadwa Bazar Ps- Fesar, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Fesar PS Case No. 114 of 2023, dated 19.06.2023, instituted for the offence punishable under Sections 341,323,427,436/34 of the Indian Penal Code.

3. As per allegation in the FIR, the accused persons set ablaze the house of the informant. The informant was constructing the house under the Scheme of Indira Awas Yozana, which was damaged by the accused persons and on objection, they set ablaze her house. They also assaulted the informant and her husband with *lathi* and *danda*.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this



case. It is submitted that no such occurrence has ever taken place. It is next submitted that the informant forcefully constructing the house under the Indira Awas Yojana over the land of the petitioners. It is next highlighted that during course of investigation, name of the petitioners surfaced as the persons who set ablaze the informant's house. The petitioners have no criminal antecedents as per statement made in para 3 of the bail petition.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Fesar PS Case No. 114 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM Aurangabad (Bihar), subject to condition as laid down under Section 438(2) of the Cr.P.C

(Khatim Reza, J)

shyambihari/-

U		T	
---	--	---	--

