

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66988 of 2024

Arising Out of PS. Case No.-645 Year-2023 Thana- WARISLIGANJ District- Nawada

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Ajay Chauhan Son of Naresh Chauhan Resident of Village - Bahera Bhelwa,
P.S.- Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Warisaliganj P.S. Case No. 645 of 2023, registered for the alleged offences under Sections 436/34 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons set the house of the informant and his brother on fire and huge quantity of grain apart from other household articles got burnt in the fire started by the petitioner and other co-accused persons. Both the houses were burnt to ashes.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. There is



land dispute between the parties and Title Suit No. 471 of 2021 is pending between the parties in Civil Court, Nawada. Learned counsel further submits that on the land of the petitioner, the informant's side made a hut and when the petitioner opposed, he has been falsely implicated in this case. The petitioner is in custody since 16.07.2024 and charge-sheet has been submitted. The petitioner is having antecedent of one case he is on bail in that case.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the background of land dispute and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Warisaliganj P.S. Case No. 645 of 2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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