

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3264 of 2024

Arising Out of PS. Case No.-350 Year-2013 Thana- MAJHAULIA District- West Champaran

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MUKESH SAH S/O BAGAD SAH R/O VILLAGE- OJHA MATHIYA, P.S-
MAJHAULIYA, DISTT.- WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 147, 148, 149, 341,
323, 325, 307, 427, 379, 436, 504 of the Indian Penal Code.

3. The allegation against the petitioner along with
others is of setting the informant's houses on fire due to which
his three houses were burnt in which, three wooden bed, papers
of land, Cash of Rs. 50,000/-, jewellery and other materials were
kept.

4. It is submitted by learned counsel for the
petitioner that petitioner has been falsely implicated in this
case. He has committed no offence. He submitted that
both the parties are covillagers and there is a land dispute
and chronic litigation between the parties. He further submitted
that there are several cases and counter cases between the
parties on account of previous dispute and the present case is
merely a counter blast of Majhauliya P.S. Case No. 353 of 2013



lodged by the member of the petitioner's side for an occurrence committed at an earlier point of time by the prosecution side. There is general and omnibus allegation against the petitioner and no specific overt act against him. On the basis of suspicion and due to his criminal antecedents, he has been made accused in the present case. He is languishing in judicial custody since 29.09.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail *after framing of charge, if not framed*. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Majhauliya P.S. Case No. 350 of 2013.

(Sandeep Kumar, J)

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