

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5323 of 2025

Arising Out of PS. Case No.-325 Year-2019 Thana- MAIRWAN District- Siwan

1. Ram Nagina Turha @ Nagina Turha son of Late Mahadeo Turha, Resident of Village -Miskarhi Mathiya, P.S.- Mairawan, Distt.- Siwan
2. Kedar Turha @ Kedar Prasad Son of Ram Nagina Turha @ Nagina Turha Resident of Village- Miskarhi Mathiya, P.S.- Mairawan, Distt.- Siwan
3. Chandan Srivastav @ Chanda Kumar Srivastava Son of Suresh Srivastav, Resident of Village -Langarpura, P.S. -Mariwan, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Prasad, Advocate
For the State	:	Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Mairwan P.S. Case No. 325 of 2019 dated 04.12.2019, registered for the offences punishable under Sections 341, 323, 436 and 504/34 of the Indian Penal Code.

3. As per allegation, the shop of the informant has been set on fire by the accused persons including the petitioners.

4. Ld. counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that there is no reason for the



petitioners to set fire to the shop of the informant. He further submits that matter has been also compromised between the informant and the accused side and a copy of the same is also filed on record across the board.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners No. 1 and 2 have four criminal antecedents and petitioner no.3 has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M.-V, Siwan, in connection with Mairwan P.S. Case No. 325 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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