

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46113 of 2025

Arising Out of PS. Case No.-112 Year-2024 Thana- MAHISHI District- Saharsa

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Anil Pathak son of Late Kali Pathak Village- Mahishi, Ps- Mahishi, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Mahishi P.S. Case No. 112 of 2024 instituted for the offence under Sections 427, 429, 436, 504 & 34 of the Indian Penal Code.

3. The informant alleged that on 23.04.2024 at 4:15 A.M., five named accused persons set fire to his house while he was asleep, causing severe burns to him. The fire destroyed his house, cattle, grains, and belongings worth approximately five lakh rupees. The incident was allegedly motivated by a prior dispute and threat issued by petitioner.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 18-03-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. As per FIR, there is no specific allegation levelled against the petitioner, rather allegation is general and omnibus in nature. It is submitted that the husk house of the informant caught fire due a high tension wire going over his house, which is supported by witnesses. Petitioner is co-villager and he has been implicated in this case on extraneous consideration. No injury is caused to anyone in the occurrence. Other co-accused have been enlarged on anticipatory bail by a Co-ordinate Bench of this Court vide order dated 09-07-2025, passed in Cr. Misc. No. 42362 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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
Court below/concerned Court in connection with Mahishi
P.S. Case No. 112 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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