

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37228 of 2014

Arising Out of PS.Case No. -142 Year- 2014 Thana -KHAJEKALA District- PATNA

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Md. Azad Hussain @ Ajad Hussain @ Md. Ajad Hussain, aged about 38 years, son of Md. Zakir Hussain, resident of Mohalla- Shah Ki Imli, P.S. Khajakalan, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Rafi Ahmad

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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3 18-03-2015 Heard Mr. Md. Rafi Ahmad, learned counsel for the petitioner and Sri Shyam Bihari Singh, learned Addl. Public Prosecutor.

The petitioner, who apprehends his arrest in Khajakalan P.S. Case No.142 of 2014 registered for the offence under Sections 452, 323, 504, 427, 506 of the Indian Penal Code, has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that earlier a case was instituted vide Khajakalan P.S. Case No.121 of 2014 as per instance of sister of the father of the petitioner (Fufi). The said case was instituted to pressurise the petitioner in succession case, which was pending in between the parties. The petitioner was extended the privilege of anticipatory bail in Khajakalan P.S. Case

No.121 of 2014 by the learned Sessions Judge, Patna on 21.05.2014 vide Annexure-3 to the present petition. Immediately after grant of anticipatory bail, the said informant got a second case instituted against the petitioner i.e. the present one Khajakalan P.S. Case No.142 of 2014 on the plea that the petitioner had assaulted one of the witnesses in the said case. It has been argued that in a family dispute, a colour of criminal offence has been given by the informant of the present case.

In view of facts and circumstances, let the petitioner, namely, Md. Azad Hussain @ Ajad Hussain @ Md. Ajad Hussain, in the event of his arrest or surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna City, District- Patna in Khajakalan P.S. Case No.142 of 2014 subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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