

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35853 of 2014

Arising Out of PS.Case No. -12 Year- 2014 Thana -AWADPUR District- KATIHAR

=====

Md. Arif son of Islamuddin, resident of village - Sonapur, P.S.- Abadpur,
District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate
: Mr. Tulika Singh Advocate
For the Opposite Party/s : Mr. Helal Ahmad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-04-2015 Heard learned counsel for the petitioner, learned

counsel for the State as well as learned counsel appearing on

behalf of the informant.

The petitioner seeks anticipatory bail in connection

with Abadpur P.S. Case No.12 of 2014 registered for the offences

punishable under sections 354, 504 and 506 read with 34 of the

Indian Penal Code.

It has been contended that as a matter of fact no such

occurrence as alleged in the FIR had ever taken place and the

entire case is designed and fabricated by the informant in order to

humiliate and harass the petitioner and his family members, who

were running brick-kiln in partnership for the last five years. It has

further been contended that on the basis of allegations made in the FIR none of the ingredients of offence punishable under section 354 of the Indian Penal Code would be attracted and the other offences alleged in the FIR are bailable in nature.

Learned counsel for the informant opposed the prayer for bail. He has submitted that the allegations are neither fabricated nor concocted. As a matter of fact, the petitioner is in habit of harassing the daughter of the informant.

Be that as it may, regard being had to the facts and circumstances of the case, let the above named petitioner, in the event of arrest or surrender within six weeks from today, 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 Sri M.M.Alam, learned Judicial Magistrate, 1st Class, Katihar in connection with Abadpur P.S. No.12 of 2014 subject to the conditions as laid down under section 438(2) Cr.P.C. as also one of the bailors must be the brother of the petitioner and another one shall be a Government servant.

Md.S./-

(Ashwani Kumar Singh, J)

U		T	
---	--	---	--