

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36908 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -MAHILA P.S. District- MADHUBANI

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Md. Rabbani S/o Md. Kamal, Resident of Village - Sapata, P.S. - Rahika,
District - Madhubani

..... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 10-09-2015

Heard learned counsel for the petitioner and
learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail
arises out of Madhubani Mahila PS Case No.46 of 2014,
disclosing offences under Sections 147, 148, 323, 337, 450,
376/511 and 427 of the Indian Penal Code. A Complaint Case
being C.R. No.715 of 2014 is the basis for registration of the first
information report under Section 156(3) of the Code of Criminal
Procedure.

Learned counsel for the petitioner has submitted
that filing of the complaint petition, four days after the date of
occurrence casts a shadow on the prosecution case and the
accusation against the petitioner. He has also submitted that the
case has manifestly been instituted, though the dispute between

the parties is civil in nature. It has been stated in paragraph-3 of this application that the petitioner has no criminal antecedent.

In view of the submission as noted above, this application is allowed. Let the petitioner above named, in the event of his arrest or surrender before the Court below 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 learned Sub Divisional Judicial Magistrate, Madhubani, in Madhubani Mahila PS Case No. 46 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J)

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