

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26302 of 2015

Arising Out of PS.Case No. -346 Year- 2013 Thana -SITAMARHI District- SITAMARHI

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1. Samim Asaraf S/o Md. Qamrul Hoda resident of village - Talkhapur
Dumra, P.S. Sitamarhi, Distt. - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mr. Rajeev Nayan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 21-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner being brother of the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341,323,498A and 504 of the Indian Penal Code.

The accusation is of making assault and compelling the informant to vacate the matrimonial house.

It is submitted by the learned counsel for the petitioner that the petitioner is army personnel and there is no occasion for this petitioner to torture the informant.

Considering the nature of accusation, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period

of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi in connection with Sitamarhi P.S. Case No. 346 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on filing of an affidavit by the petitioner before the learned court below that he will allow the informant to enjoy her share of property in the matrimonial house. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non compliance of the aforesaid undertaking will give liberty to prosecution to file application for cancellation of bail by learned court below.

(Dinesh Kumar Singh, J)

Anil/-

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