

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15286 of 2016

Arising Out of PS.Case No. -48 Year- 2015 Thana -MAHILA THANA District- BEGUSARAI

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Arun Nagar @ Arun Chaudhary Son of Gango Chaudhary Resident of
Village - Suja, P.S. Muffasil, District - Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Indra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 28-07-2016

Heard learned counsels for the petitioner

and the State.

The petitioner being the friend of the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 379, 307 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the informant got married with Sajjan Kumar Bhagat in the year, 2000 and thereafter two children were born but subsequently the husband of the informant became alcoholic and started participating in gambling. The informant has apprehension that the husband of the informant in the company of the petitioner became alcoholic. It is also alleged that one day in the night in intoxicated



condition the husband of the informant and the petitioner came and asked the informant to open the door and when the informant did not open the door the door was broken and petitioner opened fire but it did not hit the informant and thereafter the husband of he informant assaulted the informant with the butt of the pistol and accused persons also snatched gold chain of the informant.

It is submitted by learned counsel for the petitioner that neither any injury was caused to the informant nor there is any medical report on the record and the petitioner has simply been roped in since he was friendly with the husband of the informant. It is further submitted that the petitioner undertakes not to visit the house of the informant nor will be in the company of the husband of the informant henceforth. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation and the fact that no injury was caused to the informant, 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount

each to the satisfaction of learned Sub-divisional Judicial Magistrate, Begusarai in connection with Begusarai Mahila P.S. Case No. 48 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned court below on filing affidavit to the effect that the petitioner will neither visit the house of the informant henceforth nor will be in the company of the husband of the informant. The learned court below will be at liberty to cancel the bail bond of the petitioner if substantive proof comes on the record of breaching of the undertaken conditions.

(Dinesh Kumar Singh, J)

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