

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50602 of 2015

Arising out of PS.Case No. -37 Year- 2015 Thana -SULTANGANJ District- BHAGALPUR

Md. Seraj, son of Md. Shamsuddin, resident of village - Kashimpur Paithan Tola, Police Station - Sultanganj, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Md. Najmul Hodda, Advocate.

For the Opposite Party : Mr. Harendra Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-02-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Sultanganj P.S. Case No. 37 of 2015 for the offences instituted under Sections 147, 148, 149, 341, 323, 354(B), 307, 380, 452, 504, 506 and 509 of the IPC.

The prosecution story, in brief, is that on the alleged date of occurrence in the night hours at 1.30 hours, the accused Md. Seraj entered into the house of the informant and with bad intent started pulling the quilt. It is alleged that the daughter of informant namely, Nagma, loudly cried then the informant saw that he was having a bottle of acid in his hand and was touching the body. She caught Md. Seraj and on alarm being raised, the family members



of the informant and other villagers woke up. They tied him with a rope. They have been suggested by the villagers to inform the police. In the meantime, it is alleged that the other accused persons named in the First Information Report variously armed with deadly weapons entered in the house of the informant and accused Pappu with an intent to kill her husband gave an iron rod blow on his head due to which he sustained injury on his head. It is further alleged that all the accused persons assaulted the informant and her other family members and in course thereof, they committed theft of ornaments of silver from the neck of the daughter of the informant. It is alleged in the F.I.R. that the petitioner always used to tease the innocent girls of the village.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. From perusal of the injury report, it appears that none of the injured has sustained any grievous injury. The other co-accused persons have been granted anticipatory bail by the court below.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his

arrest or surrender before the learned court below within a period of six weeks from today in connection with Sultanganj P.S. Case No. 37/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)