

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31383 of 2016

Arising out of P.S. Case No. -379 Year- 2016 Thana -
KATIHAR District- KATIHAR

Md. Essamuddin @ Md. Issamuddin Son of S.K. Ilahi resident
of Mohalla - Millatnagar (Rampara), P.S. Katihar (Town),
District – Katihar. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s: Sri Ajit Kumar, APP.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

02. 16.08.2016

Learned counsel for the petitioner is permitted to
make necessary correction in Paragraph 1 with respect to
provisions of law under which the case has been registered in
course of the day.

Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 384 and
427 of the Indian Penal Code.

It is contended on behalf of the petitioner that the
case has been lodged in view of the petty dispute between the
parties and the petitioner and the Informant are having shop
in the same shopping complex. There is case and counter-
case and Section 427 IPC is bailable and Section 384 IPC is
not made out. It is further contended that the petitioner has
clean antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Md. Essamuddin @ Md. Issamuddin be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Katihar Town P.S. Case No. 379/2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

However, at the time of accepting bail bond, the court below will verify and assure itself regarding the criminal antecedent of the petitioner. If the petitioner is having clean antecedent then his bail bond would be accepted otherwise he would be taken into custody.

(Dr. Ravi Ranjan, J.)

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