

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43026 of 2016

Arising Out of PS.Case No. -907 Year- 2014 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Abdul Rakib, son of Late Wazid Ali, resident of Village- Sondhaghat, Gosaipur, P.S.- Azamnagar, District- Buxar.

..... Petitioner/s

Versus

1. The State of Bihar.
2. Mazera Khatoon, W/o Mafizuddin R/o Vill- Sondhaghat Gosaipur, P.S.- Aazam Nagar, District- Katihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey
For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 25-10-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Katihar Complaint Case No. 907 of 2014, disclosing offences under Section 354 of the Indian Penal Code.

Petitioner, in this case, is the elder brother of the husband of the complainant.

Learned counsel for the petitioner has informed that warrant of arrest against the petitioner, has been issued in this case. He has submitted that there is family dispute and more than two months before filing of the present petition, the petitioner had filed, a complaint case on 03.02.2014, which had given rise to Complaint Case No. 298 of 2015, for the offences punishable under various sections including Section 307 and 379 of the Indian

Penal Code, in which the complainant's brother has been made accused. He has further submitted that the petitioner has been maliciously implicated in this case.

The petitioner is the elder brother of the husband of the complainant.

Considering the facts and circumstances and the submissions advanced, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Katihar Complaint Case No. 907 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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

(Chakradhari Sharan Singh, J)

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