

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44250 of 2016

Arising Out of PS.Case No. -113 Year- 2016 Thana -JALE District- DARBHANGA

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1. Imdadullah son of Late Md. Nurul Resident of Village-Doghra, Police
Station-Jalley, District-Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mazharul Hassan, Advocate

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 18-10-2016

Heard learned counsel for the petitioner and the
State.

The petitioner being the brother of the husband
of the informant is apprehending his arrest in a case
registered for the offences punishable under Sections
341, 323, 498A, 354, 307, 504/34 of the Indian Penal
Code.

The basic accusation is of torture. It is
specifically alleged that on 21.05.2016 at 11.30 P.M. the
husband of the informant and the petitioner assaulted
the informant, when the informant has to take shelter in
the house of his neighbour. On the next morning she
went to P.H.C. for getting her treated.

It is submitted by learned counsel for the
petitioner that petitioner has been roped in the present

case simply because he happens to be brother of the husband of the informant. Statement has been made in para-9 of the petition that informant has received simple injury. The petitioner claims to be separate from the husband of the informant.

Considering the above fact, let the above named petitioner be released on provisional anticipatory bail for two months in the event of his 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 Chief Judicial Magistrate, Darbhanga in connection with Jalley P.S. Case No. 113 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on verification from the injury report that the informant has not received any grievous injury, but if it is found that informant has received grievous injury, in that event, the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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