

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58301 of 2015

Arising Out of PS.Case No. -490 Year- 2015 Thana -JAHANABAD District- JEHANABAD

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Muzaffar Eqbal @ Sajju Mian, Son of Late Abdul Ganni, Resident of
Mohalla-Panchamahalla, P.S.+P.O.+District-Jehanabad. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Advocate

For the Opposite Party/s : Mr. Manoj Kumar 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Jehanabad P.S. Case No. 490 of 2015, disclosing offences under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner, at the outset, has submitted that prior to institution of the present case, the daughter of the petitioner had filed a criminal case bearing Mahila P.S. Case No. 71 of 2015, disclosing offences under Sections 376, 511 and 120B of the Indian Penal Code against the informant's brother and others. He submits that lodging of the present case is revengeful and in retaliation of the case instituted by the daughter of the present petitioner for putting undue pressure on the witnesses of Mahila P.S. Case No. 71 of 2015. He further submits that even as

per the First Information Report, there is no allegation of assault against this petitioner, who is said to be only an order giver.

Considering the submission that prior to institution of the present case, the petitioner's daughter had lodged a First Information Report against the brother of the petitioner as also the nature of accusation against the present petitioner, 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 490 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

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

(Chakradhari Sharan Singh, J)

Vats/-

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