

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43381 of 2016

Arising Out of PS.Case No. -161 Year- 2016 Thana -KORHA District- KATIHAR

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1. Md. Sahabuddin Son of Late Abdul Gafoor Resident of Village-Nakkipur
Karmu Tola, P.S. Korha, District-Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nadimul Hasan

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 26-10-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Korha P.S. Case No. 161 of 2016, disclosing offences under Sections 379, 323, 504, 406, 420 and 376 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that it is evident from the contents of the complaint petition, which is the basis for registration of First Information Report under Section 156(3) of the Cr.P.C., that the dispute over execution of sale deed is the reason behind lodging of the complaint case. He has also submitted that there are six persons named in the First Information Report, including two female members of the same family. The petitioner's two sons and his wife have also been made accused

in the present case, which makes the case of the prosecution highly doubtful.

I find substance in the submission advanced on behalf of the petitioner and, accordingly, 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 Korha P.S. Case No. 161 of 2016, 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 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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