

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16779 of 2016

Arising Out of PS.Case No. -87 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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Md. Prabej, son of late Sayeed

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Pushpa Sinha 2(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 354B, 379, 504, 509 and 34 of the Indian Penal Code.

Prosecution case is that on 27.02.2016 at 9 P.M. while the informant was alone in her house with children, in the meanwhile the petitioner entered into the house and misbehaved with her. On protest being when her husband came to rescue he was assaulted by co-accused Md. Tabrej whereas the petitioner snatched earring and took away cash of the informant.

It is submitted by learned counsel for the petitioner that for the occurrence of 27.02.2016 at 9.00 p.m. the FIR was registered 28.02.2016 at 4.30 PM which reached to the court of learned CJM on 29.02.2016. There is land dispute between the

parties for which 107 Cr. P.C. proceeding was also initiated, though the same earlier ended into compromise. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation in the background of litigated relationship between the parties from before, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Darbhanga in connection with Laheriasarai P.S. Case No.87/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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