

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42343 of 2016

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1. Md. Zakir @ Md. Jakir S/o Rasul Mohammad resident of Village- Balua,
P.S.- Amdabad, Distt- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Ms. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-10-2016

Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Amdabad Police Station Case No. 82 of 2016,
disclosing offences under Sections 341/323/325/504/379/
307/34 of the Indian Penal Code.

The petitioner is the brother of the husband of
the informant. The allegation is that in the absence of the
husband of the informant, the petitioner abused her and
attempted to outrage her modesty.

Learned Counsel appearing on behalf of the
petitioner has submitted that prior to lodging of the present
First Information Report, the brother of the husband of the
informant had lodged a First Information Report, bearing
Amdabad Police Station Case No. 81 of 2016, in which the

informant is an accused. He has submitted that this is primarily a family dispute because of which case and counter case have been filed.

Considering the above submission, this application is allowed.

Let the petitioner, Md. Zakir @ Md. Jakir, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri B. K. Choudhary, learned Judicial Magistrate, 1st Class, Katihar, in connection with Amdabad Police Station Case No. 82 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.)

Prabhakar Anand/-c

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