

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18120 of 2016**

Arising Out of PS.Case No. -263 Year- 2015 Thana -JAYNAGAR District- MADHUBANI

Sekh Zaheed, son of Sekh Heera, resident of Village Baira, P.S. Jainagar,  
District Madhubani

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Ataur Rahman(APP)

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2 10-05-2016

Heard learned counsel for the petitioner and  
learned APP for the State.

Petitioner apprehends arrest in connection with  
Jainagar P.S. Case No. 263/15 for offences alleged under Sections  
452, 380, 341, 323, 354, 354-B, 427, 506/34 of the Indian Penal  
Code.

The prosecution case, as lodged by the informant,  
is that in the night of 06.10.2015 when informant, his wife and  
mother was at his house petitioner along with another entered into  
the house by breaking the door and assaulted them and caught the  
hand of his wife and tried to take her out but on alarm people  
assembled and they fled away taking golden Hanumani from the  
neck of the informant and a silver Hansuli from the neck of his  
wife.

It has been submitted by the learned counsel for the petitioner that he is innocent having no criminal antecedent and the present case is an afterthought of earlier case filed by the niece of co-accused Sk. Musan bearing C.R. Case No. 1429 of 2015. He further submits that the allegation of theft is a super-addition and no injury has been found either on the informant or his wife or mother. It has further been submitted that the case has now been compromised between the petitioner side and the informant side as they are neighbours.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 learned S.D.J.M., Madhubani, in connection with Jainagar P.S. Case No. 263/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Nilu Agrawal, J.)**

Rajesh/-

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