

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24859 of 2016

Arising Out of PS.Case No. -140 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Jagdish Sweeper @ Mehtar @ Jagdish Mehtar Son of late Shri Mehtar
Resident of katchehry Compound Near Zila Parishad, Police Station -
Adampur, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. A.Dayal (App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

4 15-07-2016 The certified copy of the First Information
Report of Kotwali (Adampur) Police Station Case No. 140 of
2016 has been filed on behalf of the petitioner, let the same
be kept on record.

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

This application, for grant of anticipatory bail,
arises out of Kotwali (Adampur) Police Station Case No. 140
of 2016, disclosing offence under Sections 323, 324, 354,
379, 448, 354B/34 of the Indian Penal Code.

There are three persons named in the First
Information Report including this petitioner. His wife, Manju
Devi, and son, Suraj, have also been named in the First

Information Report. Allegedly, the accused persons entered into the house of the informant and assaulted the informant, her brother and mother.

Learned Counsel appearing on behalf of the petitioner has submitted that because of some petty dispute, some altercation appears to have taken place and making of an allegation to constitute an offence under Section 354B of the Indian Penal Code is mere superimposition.

Considering the above submission, this application is allowed.

Let the petitioner, Jagdish Sweeper @ Mehtar @ Jagdish Mehtar, 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 learned Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Adampur) Police Station Case No. 140 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.



Prabhakar Anand/-

(Chakradhari Sharan Singh, J.)