

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45936 of 2016

Arising Out of PS.Case No. -58 Year- 2015 Thana -BHAIRABASHTHAN District- MADHUBANI

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Md. Razauddin @ Md. Rezauddin @ Musafir @ Mosafir son of Late Mustufa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 448, 341, 323, 324, 354B and 504 of the Indian Penal Code.

The prosecution case is that the petitioner being the neighbour of the informant entered into the house of the informant on 21.07.2015 at 11.30 PM and tried to ravish her. On protest being made, the petitioner assaulted the informant on head with knife and threatened to defame her.

It is submitted by the learned counsel for the petitioner that in the background of strained relationship, the accusation has been levelled. On 26.06.2012 the petitioner filed Complaint Case No. 631 of 2012 against the informant and others levelling accusation under Sections 448, 452, 380, 384, 323, 504 and

506/34 of the IPC but there is nothing on record that ultimately for which offence cognizance was taken in the complaint case. It is further submitted that the accusation against the petitioner is of causing injury with knife when the injury has been found to be superficial simple in nature caused by hard and blunt substance. The investigation has already concluded. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the complaint case filed by the petitioner's side at earlier point of time and the accusation of assault by knife not being corroborated by the medical opinion, 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) each with two sureties of the like amount each to the satisfaction of the learned AC.J.M., Jhanjharpur, Madhubani in connection with Bhairav Asthan P.S. Case No. 58 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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