

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24109 of 2016

Arising Out of PS.Case No. -118 Year- 2016 Thana -AJAMNAGAR District- KATIHAR

1. Shaiyad Arif Hussain @ Arif Hussain, Son of Late Mangla Karamchari
@ Late Mokimuddin, Resident of Village- Jailki, P.S. Azamnagar, District-
Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mr. Surendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-05-2016

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
323, 341, 343, 347, 307, 504, 506/34 of the Indian Penal
Code.

The prosecution case is that on 14.04.2016 the
informant along with second wife have gone to village
Kadamgachhi where the in-laws of the informant (family
member of second wife) in lieu with the petitioner, who
happens to be the brother of the local Panchayat Mukhiya
assaulted the informant and confined him in a room and
asked him to comply the terms of Panchayat. Accused

persons tied the hand and feet of the informant and tried to kill him.

It is submitted by the learned counsel for the petitioner that admittedly the informant was released on 19.04.2016 after three days of the confinement, but the First Information Report was registered through a written report on 24.04.2016. At earlier point of time, the second wife of the informant lodged Azamnagar P.S. Case No. 113 of 2016 on 19.04.2016 levelling accusation under Sections 498A, 506 of the Indian Penal Code, wherein for a brief period issue was reconciled. Thereafter again due to torture being inflicted informant left the house. The petitioner happens to be the brother of Panchayat Mukhiya and used to help the victim wife of the informant hence, the present case has been filed. Supplementary affidavit has been filed by the petitioner stating that the informant has not received any injury.

Considering the delayed lodging of the case and the case lodged by the petitioner's wife at earlier point of time, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Azam Nagar P.S. Case

No. 118 of 2016, subject to conditions as laid down under
Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)