

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12468 of 2016

Arising Out of PS.Case No. -235 Year- 2015 Thana -JAGDISHPUR District- BHAGALPUR

Sanjeev Kumar son of late Madho Lal Mandal

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the elder brother of late husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 354B, 504 and 506/34 of the Indian Penal Code.

The prosecution case is that the husband of the informant died on 09.07.2015 in a suspicious condition when the petitioner started abusing and assaulting the informant with fists and slaps and also started pressurizing the informant to transfer all the properties in his favour. The petitioner also claimed to have got the husband of the informant killed and threatened to kill the informant also.

It is submitted by learned counsel for the petitioner that even assuming the accusation, at best offence under Section 354A

IPC is made out which is bailable. The accusation has been levelled in the background of property dispute. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that the petitioner is taking the financial care of all the three children of the informant who also undertakes to allow the informant to enjoy her share of property in the matrimonial house.

Considering the relationship between the parties, 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur in connection with Jagdishpur P.S. Case No. 235 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner shall be accepted by learned court below on filing affidavit that he will allow the informant to enjoy her share of property in the matrimonial house. The said affidavit will be transmitted to the concerned police station by the learned court below.

(Dinesh Kumar Singh, J)

Amrendra/-

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