

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54512 of 2016

Arising Out of PS.Case No. -155 Year- 2015 Thana -KADWA District- KATIHAR

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1. Md. Musfique, S/o Late Md. Sadique, R/o Village- Manaikhar, Behrajal,
P.S.- Barsoi, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 22-12-2016 Heard the Counsel for the petitioner and the APP for the
State.

The petitioner apprehends his arrest in Kadwa P.S. Case No.
155 of 2015 registered under sections 147, 149, 341, 323, 504, 307
and 379 of the Indian Penal Code.

Petitioner is one amongst 13 others named in the F.I.R. with
an allegation that they assaulted the informant and others.
Referring to Annexure-2, it is submitted that the prosecution side
of the present case is also accused of the said case. It was a case of
marpit between both sides. Mr. Prasad handed in two web copies
of the order dated 23.02.2016 passed in Cr. Misc. No. 5983 of
2016 and order dated 18.03.2016 passed in Cr. Misc. No. 5500 of
2016 and submits that rest 11 accuseds have been privileged with
anticipatory bail considering the nature of allegation and other



materials on record. Petitioner has no criminal antecedent.

Considering the above, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-IV, Katihar in Kadwa P.S. Case No. 155 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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