

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34277 of 2016

Arising Out of PS.Case No. -328 Year- 2015 Thana -LAHERIASARAI District- DARBHANGA

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Md. Mumtaz son of Md. Majid @ Abdul Majid, resident of village- Panda Sarai, Police Station- Laheriasarai and District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Girish Chandra Jha

For the Opposite Party : Mr. Gopesh Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 11-05-2017 Supplementary affidavit has been filed on behalf of the petitioner annexing copy of the compromise petition. Let it be kept on the record.

Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Laheriasarai P.S. Case No. 328 of 2015 for the offences punishable under sections 341, 323, 354 (B), 504, 509 and 34 of the I.P.C.

Allegedly, the petitioner and other co-accused came at the house of the informant and started abusing the wife of the informant and his two daughters and also started assaulting them. The petitioner torn the cloths of Rubi Khatoon and tried to outrage



her modesty and when the son Md. Zeyaul came for rescue of his mother and sisters he was also assaulted by them and further the accused persons caused threats.

Submission is of false implication and that there is case and counter case, the case has been compromised between both the parties, the compromise petition has been annexed with the supplementary affidavit and as such now the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances as stated above, considering that good sense has prevailed between the parties and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. A.C.J.M-V, Darbhanga in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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