

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32582 of 2017

Arising Out of PS.Case No. -2082 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. GENTULE SHAIKH @ MD. AYAZ @ JENTUL SAIKH Son of Md. Anno @ Md. Anwar, Resident of Village-Sajour, Police Station-Sajour, District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shaikh Ibrahim Son of Late Sahir Shaikh Resident of Village & P.S.-Sajour, District-Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Complaint Case No. 2082 of 2014 instituted for the offence under Section-354B of the Indian Penal Code.

It has been submitted that there is inordinate delay of one month in lodging the complaint. The occurrence is alleged to have taken place on 12-09-2014 and the complaint was filed on 10-10-2014. The complainant is maternal uncle of this petitioner and only to put pressure to solemnize marriage of his daughter with the petitioner, the instant case has been lodged. It is further submitted that father of the petitioner has lodged a case against the complainant of this case and others vide Sajour P.S. Case No. 202 of 2014, in which police



has submitted charge sheet for the offence under Sections-323, 341, 504, 379/34 of the Indian Penal Code.

From the written report itself, it appears that there is general and omnibus allegation against the petitioner.

Accordingly, prayer for anticipatory bail is allowed it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of 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 in connection with Complaint Case No. 2082 of 2014 to the satisfaction of learned Sub Judge IX-cum-Additional Chief Judicial Magistrate-VIII, Bhagalpur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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