

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34479 of 2017

Arising Out of PS. Case No.-116 Year-2016 Thana- DIGHALBANK District- Kishanganj

Md. Mubarak Hussain @ Mubarak Hussain, Son of Md. Ishaque, Resident of Village-Salkauwa, P.S. Dighabank, District-Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nareja Khatoon, Wife of Md. Mubarak Hussain @ Mubara Hussain, D/o Farid Alam R/o Village- Satkauwa, P.s. Dighalbank, Distt.-Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. SRI NAGENDRA PRASAD

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-08-2017 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State of Bihar.

This application, for grant of anticipatory bail, arises out of Dighalbank Police Station Case No. 116 of 2016, disclosing offence under Sections 341/323/379/504/506/498A/494/34 of the Indian Penal Code.

The petitioner is the husband of the informant. The matrimonial discord appears to be the root cause of lodging of the First Information Report.

Learned Counsel for the petitioner submits that he is ready to keep the Opposite Party No. 2 with full love and dignity.

There is no reason for this Court to feel that if granted anticipatory bail, the petitioner shall flee from the course of investigation or trial.



It is submitted that the petitioner shall present himself before the Police as and when required and there is no chance that he will tamper with the evidence or influence the witnesses.

Considering the nature of accusation and submission advanced on behalf of the petitioner, this application is allowed.

Let the petitioner, Md. Mubarak Hussain @ Mubarak Hussain, in the event of his arrest or surrender before the Court below within a period of six weeks from today, 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 the learned Chief Judicial Magistrate, Kishanganj in connection with Dighalbank Police Station Case No. 116 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court below on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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