

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47510 of 2017

Arising Out of PS.Case No. -80 Year- 2017 Thana -SAHKUND District- BHAGALPUR

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1. Md. Kalam Son of Zahoor, R/o Village- Goura, P.S.- Shahkund, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Shahkund P.S. Case No. 80 of 2017 instituted for the offence under Sections-325, 307 & other minor Sections of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the petitioner is father-in-law of the informant. The informant has not made her husband as accused in this case. She has filed the instant case against the father-in-law on account of property dispute. It has further been submitted that the informant and her husband on the date of occurrence entered the house of this petitioner and brutally assaulted his wife Baby and unmarried daughter. This petitioner has lodged the case bearing Shahkund P.S. Case No. 79 of 2017.

Petitioner is father in law of the informant. There is property dispute. This case has been filed by the informant on account



of property dispute as mentioned in the complaint petition.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six 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 in Shahkund P.S. Case No. 80 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, 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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