

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59935 of 2017

Arising Out of PS.Case No. -90 Year- 2016 Thana -PALASI District- ARRARIA

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Md. Saddam, S/o Ishaque @ Ishak, Resident of Village- Perwakhuri,
Shyampur, P.S. Palasi, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 12-12-2017

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 341,
323, 354 and 504/34 of the Indian Penal Code.

The prosecution case is that on 27.04.2016
at 12.00 a.m. in the night the informant, Bibi Jakira, was in her
house when this petitioner entered into her courtyard, thereafter
pushed open the door of the room of the informant, entered in
the room and tried to outrage the modesty of the informant, and



when the informant tried to telephonically inform her father, she was petitioner assaulted by the petitioner.

It is submitted by learned counsel for the petitioner that for the occurrence of 27.04.2016 the FIR was lodged on 15.05.2016 and there is no explanation for such inordinate delay. The husband of the informant and the petitioner are agnates and there is serious land dispute between them and statement to that effect has been made in paragraph 8 of the petition. It is further submitted that the proceedings under Sections 107 and 144 Cr.P.C. were initiated earlier between the parties. In the abovementioned background, the petitioner has been roped in the present case. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Considering the delayed lodging of the case and the litigated relationship between the parties coupled with the fact that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate – III, Araria in connection with Palasi P.S.
Case No. 90 of 2016, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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