

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40708 of 2017

Arising Out of PS.Case No. -262 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Md. Aslam @ Aslam @ Md. Jakir @ Jakir Hussain Son of Md. Ismile @ Jainul Haque, R/o Village- Sondho Dih, Kahar Toli, P.S.- Goraul, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shahana Khatoon D/o Md. Mustakim, R/o Village- Salempur, P.S.- Lalganj, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-08-2017 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 379, 504 and 498(A)/34 of the Indian Penal Code.

Allegation against the petitioner is of committing assault and torture upon the victim.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The



petitioner has further relied upon the judgment of this Court in the case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.**

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Lalganj P.S. case No.262 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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