

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16956 of 2017

Arising Out of PS.Case No. -209 Year- 2016 Thana -RAJNAGAR District- MADHUBANI

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1. Md. Nasrul S/o Md. Harun Resident of Village Gausnagar P.S. Raj Nagar
District Mahdubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Raj Nagar P.S.

Case No. 209 of 2016 instituted for the offence under Sections-
420, 406, 120(B), 282, 211 & other minor sections of the Indian
Penal Code.

As per allegation in the written report, sister of the
informant was married to this petitioner in the year, 2003 by
Muslim Rites. The sister of the informant was tortured in her
Sasural and ousted. Thereafter, she asked her husband to work for
earning livelihood and he went to Mumbai. She again went to
Sasural but false case was lodged against the sister of the
informant and her family members for disappearance of her
husband which was later on, found false after returning of her
husband from Mumbai. Thereafter, Panchayati took place wherein
it was decided that accused persons will keep her properly and she



was again ousted from the house. In such manner, mere vague, general and omnibus allegation has been levelled against the petitioner.

In such circumstances, 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 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 Raj Nagar P.S. Case No. 209 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Madhubani 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 petitioners 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)

A.K.V./-

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