

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.23099 of 2018**

Arising Out of PS. Case No.-867 Year-2016 Thana- COMPLAINT CASE District- Supaul

Md. Jamil, Son of Md. Islam, Resident of Village- Dubiyahi Chhit, P.S.-  
Pipra, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Surji Devi, Wife of Yogendra Ram, Resident of Village- Dubiyahi Chhit,  
P.S.- Pipra, District- Supaul.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Md. Sufiyan

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

2 26-04-2018

Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 341, 323, 379, 354 and 504/34 of the IPC.

The prosecution case as per the complaint filed by the complainant Surji Devi on 22.10.2017 is to the effect that co-accused Md. Farmud took the son of the complainant, Dharmendra Ram and his brother-in-law(sala), Krityanand Ram to Kashmir for providing employment. The said Md. Farmud kept them for six months and paid certain amount, but subsequently, asked them to go home with assurance that balance wages to the tune of Rs. 32000/- will be paid. Subsequently, the son of the complainant used to demand the



money, but he started making excuses for not making payment. On 15.10.2016, the complainant went to demand due wages then she was being abused and addressed as witch. Md. Farmood called other accused persons when they also assaulted the informant. It is alleged against the petitioner that he pushed down the informant on the ground and pulled her saree as a result she became semi-naked. Co-accused Bibi Jaitun Khatun snatched silver jewellery, worth Rs. 4,500/- from the complainant.

It is submitted by learned counsel for the petitioner that for the occurrence of 15.10.2016, the complaint was filed after seven days on 22.10.2016. Thrust of accusation is against co-accused Md. Farmud. The petitioner has been roped in the present case since he is the relative of co-accused Md. Farmud. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that finding *frima facie* case true, cognizance has been taken against the petitioner also.

Considering the delayed lodging of the complaint case, the nature of accusation and the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be



released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of learned ACJM-III, Supaul in connection with Complaint Case No. 867C of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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