

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31988 of 2018

Arising Out of PS. Case No.-53 Year-2018 Thana- KALUAHI District- Madhubani

Md. Shamsi, Son of Md. Khalil, Resident of Village- Dokahar, P.S.- Kaluahi,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Sri Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 23-05-2018 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner apprehends his arrest in connection
with **Kaluahi P.S. Case No. 53 of 2018** registered for the
offence punishable under Sections 341, 323, 379, 354(B),
504, 506/34 of the Indian Penal Code.

The petitioner and the informant are full brothers.
Allegation against the petitioner is of causing injury and
outraging modesty of mother of the informant.

It has been submitted on behalf of the petitioner
that there is partition suit between the parties with respect to
joint family property. It has been further submitted that the
petitioner has got no criminal antecedent.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Kaluahi P.S.** **Case No. 53 of 2018** in connection with **J.M. Madhubani** subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the 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.

(S. Kumar, J)

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