

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70696 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- KISHUNPUR District- Supaul

Mohammad Kutubuddin, Son of Md. Yunus, Resident of Village- Belaterha,
Ward No. 9, P.S.- Kishanpur, District- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Akhouri Vipin Bihari Shrivastava, Adv.
Mr. Patla Kumari, Adv.
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323, 379, 354B, 504 and 506/34 of the IPC.

The prosecution case, as per the written report of Bibi Sadrun, dated 02.08.2018, submitted to the Station House Officer, Kishunpur Police Station, is to the effect that on 20.07.2018 at 9-10 AM, the informant was getting her house constructed, in the meantime, the petitioner, Md. Kutubuddin, co-accused, Most. Sadrun Nisha, Nabisa Khatoon, Bibi Fatma and Bibi Ajmera Khatoon along with 4-5 unknown persons came variously armed when on the order of Most. Sadrun Nisha, the petitioner after catching hold the hair, thrashed the informant



on the earth and tore her clothes. It is further alleged that on the order of the petitioner, 4-5 accused persons robbed the articles and jewellery of the informant whereas the petitioner took away the suitcase worth Rs.10,000/- from the house of the informant.

It is submitted by learned counsel for the petitioner that for the occurrence of 20.07.2018, the FIR was lodged on 02.08.2018. The accusation has been levelled in the background of land dispute. It is further submitted that there is no injury report on the record. 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 there is specific accusation against the petitioner.

Considering the accusation in the background of land dispute and the fact that there is no medical report of the informant on record, coupled with 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 CJM, Supaul in connection with
Kishanpur P.S. Case No. 202 of 2018, 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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