

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31449 of 2017

Arising Out of PS.Case No. -126 Year- 2017 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Jalim Choudhary Son of Late Ram Jee Choudhary, Resident of Village-
Hardiya, P.S.- Muffasil, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

11 09-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Begusarai Muffasil P.S.

Case No. 126 of 2017 instituted for the offence under Sections-341,
354(B), 379, 307, 504/34 of the Indian Penal Code.

It is alleged in the written report that the petitioner assaulted
the informant Usha Devi with iron rod on account of which, she
sustained head injury. On hulla, daughter in law of the informant came
to rescue her, then the petitioner tore her cloth as a result of which, she
became nude and also tried to commit illegal act with her.

Counsel for the petitioner has submitted that the petitioner
is a constable in CRPF and has been falsely implicated in this case due
to family dispute.

The injury report of the informant has been enclosed as
Annexure-2 wherein the doctor has found only bruise on left fore arm



of the informant and in the final opinion, which is available in para-51 of the case diary, the doctor has found injury to be simple in nature.

In such circumstances, prayer for anticipatory bail is allowed and 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 in Begusarai Muffasil P.S. Case No. 126 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Begusarai 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 his absence on two consecutive dates without proper and reasonable reason, will liable to cancel bail bond of the petitioner 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)

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