

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48540 of 2017

Arising Out of PS.Case No. -703 Year- 2016 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Md. Nazim, Son of Md. Ahmad, Resident of Village-Ranisakarpura, Police
Station-Khagaria (Gangaur), District-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar
2. Hasbul Khatoon, Wife of Md. Subhan, Resident of Village-
Ranisakarpura, Police Station-Khagaria (Gangaur), District-Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate.
For the opposite party No.2 : Mr.Ranjeet Kr. Singh, Advocate.
For the State : Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 15-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Complaint**
Case No. 703C of 2016 instituted for the offence under Sections
323, 354, 457, 379, 504, 506 and 324 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the instant case is counter blast of Khagaria (Gangour) P.S. Case
No. 488 of 2016 filed by this petitioner against the husband of the
complainant and others for the occurrence dated 4.8.2016. The
First Information Report was lodged by the petitioner for the
aforesaid occurrence on 5.8.2016 and police has registered the
case under Sections 323, 541, 504, 506, 379/34 of the Indian



Penal Code and Sections 3/4 Prevention of Witch Practices Act, in which, her husband other persons are accused.

As counter blast, the instant complaint has been filed by the complainant on 19.8.2016 levelling allegation that while the complainant was alone in the house this petitioner attempted to commit illegal act with her. From the complaint petition itself it appears that there is no injury sustained by the complainant.

Learned counsel for the complainant has appeared and opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Complaint Case No. 703C of 2016**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate, Khagaria**, subject to the conditions as laid down under Section 438 (2) 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 be liable to cancel his bail bond 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.

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(Sanjay Priya, J)

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