

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52105 of 2018

Arising Out of PS. Case No.-755 Year-2017 Thana- MADHEPURA District- Madhepura

Md. Shahabuddin S/o Md. Jahir, R/o Vill.- Budhma Lakhraj, P.S.- Madhepura,
District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad
For the Opposite Party/s : Mr. Md. Arif

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 324, 307 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant at his darwaja, the accused persons variously armed came to her house and assaulted her bhainsur. The husband came in rescue was also assaulted by them due to which they sustained injuries.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Both parties are agnates. There is a case and counter



case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The alleged date of occurrence is 10.10.2017 but case was instituted on 28.10.2017. The delay has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi) P.S. Case No. 755 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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