

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2405 of 2018

Arising Out of PS.Case No. -186 Year- 2016 Thana -MANIHARI District- KATIHAR

=====

1. Nazmul Haque, S/o Md. Nasiruddin, resident of Olipur, P.S.- Manihari,
District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Dashrath Mehta

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Manihari P.S. Case No.
186 of 2016 instituted for the offence under Sections-341, 323, 307,
379/34 of the Indian Penal Code.

It has been submitted that the petitioner is Bahnoi (own
brother in law) of the informant.

There is allegation against this petitioner that he had illicit
relation with wife of the informant and it is further alleged that on the
date of occurrence, he gave Khanti blow on the head causing injury. On
hulla, near by people came there and took the informant to a private
clinic for treatment.

It has been submitted that the real fact is that sister of the
informant had made claim of her share in ancestral property of her
father and the informant has deliberately hatched up this false case with



a view to grab the share of wife of the petitioner.

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 Manihari P.S. Case No. 186 of 2016 to the satisfaction of Smt. Saba Alam, learned Judicial Magistrate-Ist Class, Katihar 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 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)

A.K.V./-

U		T	
---	--	---	--

