

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26868 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- KHAZANIHAT District- Purnia

=====

Ayub @ Md. Ayub @ Shekh Ayub, Son of Habeeb, resident of Village +
Mohalla- Line Bazar, P.S.- K. Hat (Sahayak), District- Purnia.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha
For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with K. Hat (Sahayak) P.S. Case No.74 of
2018, registered for the offence punishable under Sections 341,
323, 406, 420, 504 and 504 of the Indian Penal Code.

Allegation has been made that the son of the
petitioner has entered into an agreement for purchase of a truck
bearing registration no. BR-11-S-2589 and accordingly the
money was financed, but the son of the petitioner failed to pay
the installments properly, for that the informant has visited the
house of the petitioner, where his son was there. It is alleged that



they have abused and assaulted the informant and refused to pay the installment.

Learned counsel for the petitioner submits that neither the petitioner is a party to the agreement nor he has any concerned with the truck, it is his son who has taken money and purchased the truck on hire basis and the allegation of abuse and assault is completely incorrect. Further stated that the incident is alleged to have been committed on 04.12.2017 but the F.I.R. has been lodged on 10.02.2018 i.e. after about two months.

Looking to the aforesaid facts, let the petitioner, namely, Ayub @ Md. Ayub @ Shekh Ayub, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnia, in connection with K. Hat (Sahayak) P.S. Case no.74 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive



dates without reasonable explanation, the present order will be
treated to have been cancelled.

(Shivaji Pandey, J)

pawan/-

U			
---	--	--	--

