

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19938 of 2018

Arising Out of PS. Case No.-563 Year-2017 Thana- PIRBAHOR District- Patna

Md. Abdula @ Jully @ Md. Jully S/o Md. Akram R/v- Darji tola, Sabjibagh,
P.S. Pirbahore, Distt. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-05-2018 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

This is a petition for grant of anticipatory bail in connection with Pirbahore P.S. Case No. 563 of 2017 for the offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that in the written report, itself, it is mentioned that there is property dispute between the informant and the petitioner, who is step son-in-law of the informant. It is alleged that on 24.09.2017 the petitioner and his wife, Soni Parveen, caught hold the hand of the informant and the petitioner assaulted with leg on her stomach causing abortion, but, the case has been filed on 09.10.2017, after delay of 15 days. Learned counsel for the



petitioner, during the hearing of the bail petition, produced one report of Dr. (Prof.) Chandra Kiran, Head of the Department, Department of Obst. & Gynae, P.M.C.H. Patna, addressed to the Superintendent, P.M.C.H. Patna, which is available in the case diary shows that on 29.09.2017 expulsion of dead four months of female fetus occurred at 09.45 A.M., but, from the written report it appears that case has not been lodged on 29.09.2017 and the same has been lodged on 09.10.2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Pirbahore P.S. Case No. 563 of 2017** he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Patna**, subject to the conditions as laid down under Section 438(2) Criminal Procedure Code 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.

(Sanjay Priya, J)

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