

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37024 of 2018

Arising Out of PS.Case No. -100 Year- 2016 Thana -RUDRAPUR District- MADHUBANI

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Sadam Nadaf @ Saddam Nadaf, son of Gafur Yadav, Resident of Village Gandhraeen, P.S. Rudrapur, District Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate.

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Rudrapur P.S. Case No. 100 of 2016** instituted for the offence under Sections 341, 342, 323, 364 and 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that Md. Jabbar, son of the informant, has taken loan of Rs.10,000/- from the petitioner. It has further been submitted that petitioner made demand of his money then the instant case has been filed.

The statement of victim boy Abdul Jabbar Ansari recorded under Section 164 Cr. P.C. is available in the case diary wherein he has admitted that he has taken loan of Rs.3,000/- from the accused person and he did not return the said amount. He has further submitted in his 164 statement that Sadam Nadaf @



Saddam Nadaf (petitioner) and Jainuddin called him in the house and kept him confined. His father came and prevented them then accused persons have committed *Mar-Pit* with him. When the hands of the victim were set loose, he fled away to Bhihandi (Mumbai).

Learned counsel for the petitioner has submitted that it has come in paragraph-107 of the case diary that victim was recovered by the police from Bhihandi. The statement of victim has been recorded in paragraph-109 of the case diary wherein he has admitted of having taken loan from 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 **Rudrapur P.S. Case No. 100 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 **Additional Chief Judicial Magistrate-II, Jhanjharpur, Distt. Madhubani**, 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.

S.Ali/-

(Sanjay Priya, J)

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