

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70791 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- SIKTI District- Araria

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Kafilur Rahman @ Md. Kafilur Rahman, S/o Motiya @ Mitiya, Resident of
Village- Gadhakat, Ward No.8, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354B, 504, 506 and 379/34 of the Indian Penal Code.

The prosecution case as per the written report of Md. Jamal submitted to the Station House Officer of Sikty Police Station is to the effect that the marriage of the informant was earlier solemnized in Village Sohdi, but the said marriage could not materialise, for which the petitioner used to blackmail the informant with a view to extort money. The petitioner demanded Rs. 50,000/- from the informant and on being declined by the informant on 14.04.2018, the petitioner assaulted the informant. On alarm being raised, several persons came when it is alleged



that the petitioner assaulted with knife on the head of the informant. When the wife of the informant, Bibi Khushnuma came to rescue then she was also assaulted and her clothes were torn. It is alleged that the accused persons snatched mobile and cash of Rs.70,000/-.

It is submitted by learned counsel for the petitioner that for the occurrence of 14.04.2018 at 7.30 A.M., the FIR has been registered on 15.04.2018 at 3.00 P.M. The injury has been found to be simple in nature. It is further submitted that the petitioner being the neighbour has been implicated due to the petty dispute and even assuming the to be true, accusation no offence under Section 354B IPC is made out against the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the First Information Report.

Considering the nature of accusation in the background of previous dispute between the parties, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a



period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Ararai in connection with Sikty P.S. Case No. 59 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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