

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15876 of 2018
Arising Out of PS.Case No. -122 Year- 2017 Thana -PUSA
District- SAMASTIPUR

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MD. ISMILE ALI @ MD. ISMAIL S/o Late Md. Yusub, R/o
Village- Harpur, P.S. - Pusa, District- Samastipur, District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-04-2018 The petitioner seeks bail in anticipation of his arrest in connection with Pusa P.S. Case No. 122 of 2017 instituted for the offences under Sections 323, 363, 364, 366, 379, 505, 34 of the Indian Penal Code.

The informant has alleged that while he was getting his boundary wall constructed, the accused persons, in two vehicles, came entered into his house and assaulted his family members including a pregnant lady.

The learned counsel appearing for the petitioner, however has submitted that prior to lodging of the present



case, one Taiyab Ali had filed a case for kidnapping of his minor daughter viz. Nikhat Parween. In the aforesaid case, it later transpired that the daughter of Taiyab Ali was kidnapped by the brother-in-law of the informant of the present case and ultimately he married her. There was some information to Taiyab Ali and others that the victim girl is residing in the house of the informant. An attempt was made by them to trace out the kidnapped daughter of Taiyab Ali. For the fear of the informant also getting implicated in the case of kidnapping, this false case has been instituted.

The learned counsel for the petitioner has also submitted that the petitioner is only remotely acquainted with Taiyab Ali and the allegation of his having entered into the house of the informant and assaulting his family members is incorrect.

Considering the background facts of the case and the fact that the petitioner does not have any criminal antecedents, this Court is inclined to grant anticipatory bail to him.

The petitioner, above named, in the event of his arrest or surrender before learned Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate, VI,
Samastipur in connection with Pusa P.S. Case No. 122 of
2016.

(Ashutosh Kumar, J)

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