

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7450 of 2019

Arising Out of PS. Case No.-149 Year-2018 Thana- BALRAMPUR District- Katihar

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1. Md. Tohid, aged about 61 years, Male, Son of Late Maniruddin.
 2. Samsina, aged about 28 years, Female, Wife of Md. Ramjani.
- Both resident of Village Bijoul, P.S. Balrampur (Telta), Dist. Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jibendra Mishra

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-02-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Balrampur P.S. Case No. 149 of 2018 registered for offences under sections 341, 323, 324, 307, 504, 380, 120(B) of the Indian Penal Code.

There is a direct allegation against the petitioner no.1 of causing injury by Farsa on the head of the Informant.

Accordingly, this Court is not inclined to grant privilege of anticipatory bail to the petitioner no.1, above named.

There is no specific allegation of any overt act against the petitioner no.2.



Looking to the entire facts and circumstances of the case, let the petitioner no.2, above named, in the event of her arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Balrampur P.S. Case No. 149 of 2018 (G.R. No. 4452 of 2018), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, she will remain present and if she would not present herself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

If the petitioner no.1 surrenders before the court below within a period of three weeks from today and prays for bail, the court below, without being prejudiced by this order, will pass orders in accordance with law.

(Shivaji Pandey, J)

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