

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11067 of 2019

Arising Out of PS. Case No.-345 Year-2018 Thana- DALSINGHSARAI District- Samastipur

Innamul Haque @ Inaamul Haq, aged about 40 years, Male, Son of Late Wajuddin, Resident of Village - Kamarown, P.S.- Dalsingsarai, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Lakshmindra Kr. Yadav,
Mr. Prabhu Narayan Prabhakar, Advocates
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 354 and 366 of the Indian Penal Code registered in connection with Dalsingsarai P.S. Case No. 345 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of the land dispute between the petitioner and Md. Ekramul Haque who happens to be the own brother and in between them, Title Suit No. 12 of 2017 is pending before learned Sub Judge-III, Dalsingsarai. The petitioner's wife had earlier filed Complaint Case No. 418 of 2018 on 03.10.2018 in retaliation whereof the instant first information report has been instituted on 21.11.2018 and that too by the maid-servant of the petitioner's brother. The petitioner is also an accused in a case of different nature.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Dalsingsarai, District Samastipur in connection with Dalsingsarai P.S. Case No. 345 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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