

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28357 of 2019

Arising Out of PS. Case No.-51 Year-2019 Thana- SULTANGANJ District- Patna

MD. LADDAN, Son of Late Abdul Rajjak, Resident of Mohalla - Ambedkar Colony, Near - Raja Colony, Imlital, P.S.- Sultanganj, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shyamal Prakash
For the State	:	Mr. Harendra Prasad, APP
For the Informant	:	Ms. Nusharat P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 30-04-2019 Heard learned counsel for the parties concerned.

This application for anticipatory bail, arises out of Sultanganj Police Station Case No. 51 of 2019 disclosing offences punishable under Sections 448/354/379/504/506/34 of the Indian Penal Code.

Informant is herself present and has opposed the prayer for anticipatory bail.

It is evident from the First Information Report that land dispute is the reason behind the occurrence alleged. It is alleged that the petitioner had objected to the informant's act of recording some occurrence, with the use of her mobile phone. Allegedly, the petitioner attempted to snatch the mobile phone from the informant's possession and in that course, the



informant fell down and got injured. There is allegation against the petitioner of having issued threats.

The informant, appearing in person, has submitted that considering the gravity of offence and the fact that the petitioner has criminal antecedent, he should not be allowed the privilege of anticipatory bail. Reference has been made to Alamganj Police Station Case No. 145 of 2009, which has been registered under Section 354A of the Indian Penal Code and Section 6 of the POCSO Act, eight days after lodging of the First Information Report.

In the facts and circumstances of the case, in my view, case for grant of anticipatory bail is made out. This application is, accordingly, allowed.

Let the petitioner, Md. Laddan, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Patna City, Patna, in connection with Sultanganj P.S. Case No. 51 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall



present himself before the Police/Court, as the case may be, as
and when required and in the event of failure on his part to
appear before the Court on two consecutive occasions, his bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Ashish/Ragini-

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