

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26786 of 2019

Arising Out of PS. Case No.-729 Year-2018 Thana- SAHAYAK NAGAR District- Katihar

MD. FIRDOSH Son of Abdul Rashid, Resident of Village - Sharifganj, P.S.-
Sahayak, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Opposite Party/s : Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Katihar Town (Sahayak) P.S. Case No. 729 of 2018 arising out of Complaint Case No. 416 of 2018 registered for offence punishable under sections 307, 323, 504, 427 and 506 of the Indian Penal Code.

As per the complaint petition, the informant and petitioner are father and son. The father of the petitioner has entered into two marriage and the petitioner is issue from first wife, the father was eliminating the joint family property in which the dispute arose and the allegation has been made that the petitioner has surrounded the scarf on the neck of his father and tried to strangulate him. The dispute arose on account of the fact that the petitioner is not living with his father, having no good relationship



between them on account of second wife of his father.

Looking to the entire facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 729 of 2018 arising out of Complaint Case No. 416 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond.

(Shivaji Pandey, J)

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