

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42633 of 2019

Arising Out of PS. Case No.-35 Year-2018 Thana- CHHATAPUR District- Supaul

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AFROZ KHAN @ MD. AFROZ KHAN Son of Kaishar Khan Resident of
Village-Hariharpur, P.S.-Chhatapur, District-Supaul Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-09-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Chhatapur Police Station Case No. 35 of 2018, disclosing offences under Sections 341/323/379/354-B/504/506/509/34 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner, along with others, entered into the house of the informant and tried to outrage her modesty and also torn her cloths.

Learned Counsel for the petitioner submits that the petitioner, along with his entire family members, has falsely been implicated in the present case inasmuch as both the parties are next-door neighbours and the dispute between the parties is with regard to erection of a wall near their houses. He further submits that the petitioner has not committed any offence in the



manner alleged and the father of the petitioner, against whom there is similar allegation as that of the petitioner in the First Information Report, has been granted bail by this Court by order, dated 05.12.2018, passed in Criminal Misc. No. 69937 of 2018.

After having heard learned Counsel for the parties and taking into consideration the fact that both the parties are next-door neighbours and similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Afroz Khan @ Md. Afroz Khan, in the event of his arrest or surrender before the Court below within four 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 learned 4th Additional Chief Judicial Magistrate, Supaul, in connection with Chhatapur Police Station Case No. 35 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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