

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43585 of 2019

Arising Out of PS. Case No.-136 Year-2018 Thana- MADHEPUR District- Madhubani

JIBACHH YADAV Son of not mention Resident of Village - Virajit, P.S.-
Madhepur, Distt - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Mishra
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Madhepur P.S. Case No. 136 of 2018 (G.R.No.1598 of 2018), disclosing offences under Sections 448, 341, 323, 354, 379, 504 and 506/34 of the Indian Penal Code.

The petitioner is said to be brother of the father-in-law of the informant.

It is alleged that in the wee hours of 26-27.11.2018, the petitioner attempted to outrage the modesty of the informant, when she was asleep in her room. It is also alleged that when the informant raised hue and cry, the wife of the petitioner and his sons and daughters came and started abusing the informant. There are alleged to have assaulted the informant and snatched away the valuables and cash worth Rs. 20,000/-.

Learned counsel, appearing on behalf of the petitioner, has submitted that it is because of intra-family dispute, a false criminal case has been lodged. It has also been



submitted that there is no justifiable reason why the FIR came to be registered on 04.12.2018 with reference to an occurrence, which allegedly had taken place on 27.11.2018.

Considering the above submission and the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, 1st Class, Jhanjharpur, Madhubani in connection with Madhepur P.S. Case No. 136 of 2018, subject to the condition as 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)

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