

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44701 of 2019

Arising Out of PS. Case No.-95 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

SAFIA MOHAMMAD KHAN D/o Md. Azam Hussain Khan Resident of
Mohalla - Shahsupan, P.S.- Laheria Sarai, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhash Ranjan Thakur
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-07-2019 The petitioner apprehends his arrest in connection with

Laheriasarai P.S. Case No. 95 of 2018 registered under Sections

307,313,323,341 and 506/34 of the Indian Penal Code.

The allegation against the petitioner is that petitioner
along with other accused persons assaulted the informant by
fists and slaps which caused miscarriage of pregnancy of the
informant.

Learned counsel for the petitioner submits that
petitioner is step *Nanad* of the informant and there is property
dispute between the parties pursuant to realisation of rent and
for realisation of rent, mother and sister of this petitioner have
also been made accused and they have been granted anticipatory
bail by a co-ordinate Bench of this Court vide Cr.Misc. No.
8471 of 2019. Learned counsel further draws attention of this



Court towards Annexure-6, which is order of anticipatory bail passed in the case of mother and sister of the petitioner in which it has been recorded that on the basis of case diary, complainant was not carrying any pregnancy. Accordingly, submission is that allegation that pregnancy was aborted due to assault, is not correct.

After having heard learned counsel for the parties and taking into consideration the fact that no pregnancy of the complainant/informant was found aborted and further similarly situated co-accused persons have been granted anticipatory bail, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Darbhanga in connection with Laheriasarai P.S. Case No. 95 of 2016; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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