

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 49825 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- MAHILA P.S. District- Kishanganj

JANBIR @ MD JANBIR, aged about 25 years, Son of Tajuddin @ Jahangir Alam, Resident of Village - Pashchim Tola Shitalpur, P.S.- Paharkatta, Dist.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioner, informant and the learned APP for the State.

Petitioner apprehends arrest in a case registered under Sections 341, 354D, 376, 504, 506/34 of Indian Penal Code.

Petitioner's mother has lodged Paharkatta Police Station Case No 36 of 2019 against the family members of the informant of the instant case. The informant's family was accused for the offences under Sections 147, 148, 341, 323, 324, 354, 379 and 506 of Indian Penal Code. Petitioner's counsel submits that the instant prosecution is a counterblast to the said case. The prosecution case, therefore, has been fabricated by alleging occurrence to have taken place one year prior to lodging the first information report. It is further submitted that the petitioner is innocent and has falsely been implicated in this case.

The learned APP for the State as well as the learned



counsel for the informant have opposed the prayer.

Considering the rival submissions, this Court is inclined to allow prayer for anticipatory bail of the petitioner.

Let the petitioner above named, in the event of his arrest or surrender within four weeks from today, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kishanganj in Kishanganj Mahila Police Station Case No 18 of 2019 subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code and also the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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