

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53748 of 2019

Arising Out of PS. Case No.-131 Year-2019 Thana- BAJPATTI District- Sitamarhi

1. MD. MASIHA @ ASHRAF ALI Son of Md. Shabbir Resident of Village-Madhuban Got, P.S.-Bajpatti, District-Sitamarhi.
2. Md. Ali Son of Md. Shabbir Resident of Village-Madhuban Got, P.S.-Bajpatti, District-Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 30-08-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bajpatti P.S. Case No. 131 of 2019 for the offence punishable under Sections 341, 323, 386, 354B, 504 and 506/34 of the Indian Penal Code.

It has been submitted that the petitioners are own brother-in-law of the full brother of the informant and because of partition dispute between the brothers, the First Information Report has been registered with baseless allegations. The allegation of outraging the modesty is ornamental in nature, just to add seriousness to the case of the prosecution.

Considering the facts and circumstances, this application is allowed.



Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Pupri at Sitamarhi, in Bajpatti P.S. Case No. 131 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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