

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63815 of 2019

Arising Out of PS. Case No.-694 Year-2019 Thana- PHULWARISHARIF District- Patna

MD. HALEEM Son of Md. Reyajuddin Resident of Hazi Harmain Colony,
P.O. and P.S.- Phulwarisharif, District - Patna - 801505.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 448, 323, 325, 308, 504 and 506/34 of the Indian Penal Code, registered in connection with Phulwarisharif P.S.Case No. 694 of 2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of dispute related to use of common toilet and bathroom between the family members as the informant is none other than *Bhabhi* of the petitioner. The petitioner is said to have assaulted the informant with butt of the revolver, but in any event there is nothing to indicate any grievous injury sustained by her. Other co-accused Md. Rustam and Md. Salam have been granted anticipatory bail by the



learned Additional Sessions Judge-XVII, Patna.

4. Learned APP, on the other hand, submits that the petitioner is alleged to have assaulted with butt of the revolver, causing injury to the informant on her face and she has also lost one tooth.

5. Be that as it may, in the event of petitioner's arrest or surrender within four weeks hereof, let the above named petitioner be released on provisional bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.JM.-IX, Patna in connection with Phulwarisharif P.S. Case No. 694 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present



in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

6. The provisional bail granted to the petitioner shall be confirmed by the learned court below upon verification within a further period of four weeks after furnishing bail bond that the informant has not sustained severe injury on her face and lost her tooth, conversely his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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