

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No 80994 of 2019

Arising Out of PS. Case No.-166 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

JAWED AKHTAR Son of Hanan Mian Resident of Village- Katalpur, P.S.-
Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Javed Aslam
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-12-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner apprehends arrest in a case registered under
Sections 341, 342, 323, 448, 380, 354/34 of Indian Penal Code.

After going through the lower Court records and the
first information report (for brevity, *FIR*), the Sessions Judge, in
the order disposing of the petitioner's prayer for anticipatory
bail has also recorded that the same does not disclose any
specific allegation of assault or committing theft against the
petitioner. Case diary was called for but the prosecution failed
to bring it on record. The genesis of occurrence is not very
serious rather it is said in the *FIR* that the occurrence took place
due to non-solemnization of marriage between the son of
informant and the daughter of co-accused Hanan Mian. It
appears that co-accused Hanan Mian and two others have been
granted regular bail by the Sessions Judge vide BP No 578 of



2018.

Learned APP for the State has opposed the prayer.

Considering the rival submissions, this Court is inclined to accept the submission of the petitioners' counsel.

Let the petitioners above named, in the event of his arrest or surrender, 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 Judicial Magistrate, 01st Class, Gopalganj in Baikunthpur Police Station Case No 166 of 2018 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./-

U		T	
---	--	---	--

