

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84955 of 2019

Arising Out of PS. Case No.-60 Year-2019 Thana- SIMRI District- Darbhanga

MD. MAHTAB S/o Md. Ramjani Resident of Village- Shankarpur Sobhan,
P.S.- Simri, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 341, 323, 379, 354(B), 504, 506 , 34 of the Indian Penal Code.

Informant has alleged that on 16.04.2019 at about 7.30 a.m., while she was taking her children for bath, Md. Laddu and his niece came and caught hold of her and started assaulting and when her mother came to rescue her, they abused and assaulted her also and thereafter, Md. Laddu, grandson of Laddu started assaulting her mother and it is further alleged that Khushbu Khatoon, Nasrin Khatoon, Sahil, Anuthi, Sahana and grandchildren of Md. Laddu and son-in-law of Md. Laddu came and brutally assaulted them. There is further allegation against



Md. Laddu and Marna inflicting knife blow over his head and assaulted his mother on her head and thereafter fled away.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to family feud and family dispute. There is case and counter case and there is no allegation of any assault made against petitioner and the allegation of outraging the modesty of family members of informant is false and concocted and for the same occurrence, FIR instituted by the side of petitioner and present case is a counter blast of said FIR. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Simri P.S. Case No.60/2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.



(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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