

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21060 of 2020

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Mumtaz Khan @ Md. Mumtaz, son of Late Jiyaullah Khan, resident of village-Khajuri Mahabalipur, P.S.-Kalyanpur, District-Samastipur.

... .. Petitioner

Versus

The State of Bihar

.. ... Opposite Party

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Mr. Pravin Kumar, Advocate Ms. Vaishnavi Singh, Advocate
For the Respondent State:		Smt. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-07-2020 Heard Mr. Ajay Kumar Thakur, learned counsel appearing on behalf of the petitioner and Smt. Suman Kumari Singh, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of anticipatory bail arises out of Kalyanpur P.S. Case No. 37 of 2020, registered for the offence punishable under Sections 323, 324/34, 341, 379, 427, 504 and 506 of the Indian Penal Code.

It is evident from the First Information Report that some dispute relating to land was the reason behind the occurrence. Allegedly, the petitioner and other persons were harvesting the informant's wheat, which was objected to. It appears that an altercation had taken place thereafter. Allegedly, the petitioner hurled abuses and gave *lathi* blow on the



informant's head. It is also alleged that the petitioner snatched a sum of Rs.10,000/- from the informant's pocket.

Considering the genesis of occurrence and the nature of allegation, in my opinion, a case for grant of anticipatory bail is made out.

This application is allowed.

Let the petitioner above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Samastipur, in Kalyanpur P.S. Case No. 37 of 2020, 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 petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

It is indicated that defect, if any, shall be removed within two months.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-



(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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