

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26959 of 2020**

Arising Out of PS. Case No.-1732 Year-2018 Thana- DARBHANGA COMPLAINT CASE  
District- Darbhanga

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Iqbal Ansari, S/O Late Sulaiman Ansari @ Suleman Ansari, Resident of  
Vill/Mohalla- Basatwara, P.S. - Simri, Dist. - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nasrin Fatma, W/O Mazhar Alam @ Azhar, Resident of Vill - Basatwara,  
P.S. - Simri, Dist. - Darbhanga.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Kedar Jha, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      05-11-2020                      Since as of now the Courts have not resumed normal  
  
physical hearing, the matter has been listed today for  
  
consideration through video conferencing.

The learned counsels are appearing and making  
submissions from their residence. The Court Master and  
Secretary are also part of this virtual Court proceedings from  
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the  
learned APP for the State.

The petitioner is apprehending his arrest in connection  
with C.R. Case No.1732 of 2018 registered for the offence  
under Section 147/148/149/307/450/453/225/504 of the Indian



Penal Code, in which cognizance has been taken under Sections 323/379/34 and 354 of the Indian Penal Code.

While the complainant was resting in her house, it is alleged that the petitioner entered into the house and pushed her down on the floor with bad intention. Other co-accused have tried to rescue the petitioner, whereupon the accused persons have also allegedly assaulted her.

It is submitted by the petitioner's counsel that the allegation of assault is not levelled against the petitioner. Medical prescription of Darbhanga Medical College Hospital does not corroborate the prosecution case as no injury whatsoever was found on the person of the complainant. Co-accused Akbari Khatoon had earlier filed Simri P.S. Case No.121 of 2016 against the complainant. The instant case has been lodged only to pressurize the co-accused persons to withdraw the said case. Further submission is that the petitioner has no criminal antecedents.

Learned APP for the State has opposed the prayer for pre-arrest bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.



Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Darbhanga, in connection with C.R. Case No.1732 of 2018, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) 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.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

**(Madhuresh Prasad, J)**

PNM

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