

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 72593 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- KURLIKOT District- Kishanganj

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Moulvi Md. Mustaque @ Moulvi Md. Mustaque Alam, Son of Md. Abdul Rahman @ Abdul Rahman, Resident of Village-Birnabari, P.S.-Kurlikot, District-Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-03-2020 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 342, 354, 379 and 504/34 of the IPC.

The prosecution case, as per the written report of Kashmira Begam submitted to the Station House Officer, Kurlikot Police Station, is to the effect that on 30.05.2019 at about 9:00 AM, while the informant was going to a nearby field, but on the way the petitioner stopped her and started talking in vulgar language. On protest being made, the petitioner assaulted the informant with belt and when the informant tried to flee away from there to save herself, the petitioner tore her



clothes. The petitioner is also alleged to have snatched a silver chain from the neck of the informant.

It is submitted by the learned counsel for the petitioner that the accusation has falsely been levelled against the petitioner and for the alleged occurrence of 30.05.2019, the FIR was registered on 04.06.2019. Moreover, the injury of the informant has been found simple in nature. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned counsel for the State after going to the case diary that the accusation against the petitioner is of abusing and tearing the clothes of the informant causing injury which has been found simple in nature.

Considering the delayed lodging of the case, the injury being found simple in nature coupled with statement made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in



connection with Kurlikot P.S. Case No. 29 of 2019 subject to the
condition as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J.)

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