

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14453 of 2021

Arising Out of PS. Case No.-486 Year-2019 Thana- SAKRA District- Muzaffarpur

Md. Safique, S/o Late Md. Alauddin, Resident of Village-Saraiya, P.S.- Sakra,
District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meena Khatoon, W/o Md. Safique, D/o Late Md. Fulbabu, At present
resident of Village-Sakra Faridpur, P.S.- Sakra, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-11-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Sakra
P.S. Case No.486 of 2019 registered for the offence punishable
under Sections 341, 323, 326, 498A, 307/34 of the Indian Penal
Code.

The petitioner is accused of having caused a cut
injury on his wife's tongue; along with his second wife. Prayer
for bail of the petitioner was earlier rejected by this Court in
Cr.Misc. No.18134 of 2020, vide order dated 03.06.2020.

Petitioner's counsel submits that the victim (alleged
first wife) along with her children is now residing with the



petitioner. There is a compromise between the informant and the petitioner. Factum of compromise has also been supported by the informant before the court below, which is evident from the order dated 24.11.2020, rejecting the petitioner's prayer for bail.

The aforesaid facts, as per the submission of the learned counsel for the petitioner, may be considered along with custody of the petitioner since 18.10.2019 and the fact that the petitioner has no criminal antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submission as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, let the petitioner, above named, 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 court of learned A.C.J.M.-X, Muzaffarpur, in connection with Sakra P.S. Case No.486 of 2019, 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)

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