

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26159 of 2020

Arising Out of PS. Case No.-125 Year-2019 Thana- TERHAGACHH District- Kishanganj

MD. WARIS @ WARIS S/o Alam Uddin Resident of Village- Sheeshagachhi,
P.S.- Terhagachh, District- Kishanganj (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 19-01-2021 Heard learned counsel for the petitioner and the learned
APP for State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

Petitioner apprehends arrest in connection with Terhagachh PS Case No 125 of 2019, instituted for the offence under Section(s) 341,323,324,326 and 307/34 of the Indian Penal Code.

The informant has given a written report that while his sister had gone to attend the call of nature, petitioner along with other three co-accused persons have caught hold of his sister poured petrol and set her ablaze. The informant has also



assigned the motive of a pre-existing dispute.

Petitioner's counsel submits that the petitioner bears no criminal antecedents. The petitioner has no concern with the earlier dispute referred to by the informant.

Earlier, the case diary had been called for and the same has been received. During the course of investigation, some of the witnesses have stated that only co-accused, namely, Md. Tajoddin and Kalu Baksh were seen at the place and time of occurrence. As a result of the investigation, police had submitted final form against the instant petitioner and co-accused Mohim Alam who were not sent up for trial.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the submissions, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Purnea, in connection with Terhagachh PS Case No 125 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.



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.

(Madhuresh Prasad, J)

shyambihari/-

U		T	
---	--	---	--

