

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26091 of 2020

Arising Out of PS. Case No.-205 Year-2019 Thana- JOKIHAT District- Araria

MD. PANAULLA @ MD. PANBUL @ PANBUL Son of Md. Nizamuddin
Resident of Village- Isarwa (Choukta), Police Station- Jokihat (Mahalgaon),
District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamul Haque, Adv.
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 10-03-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Section 395 of the Indian Penal Code.

Allegation against FIR named accused who is brother
of informant is of abusing and assaulting the informant and his
family members by means of fists and slaps, as a result of which
they sustained grievous injuries. It is further alleged that on
22.05.2019 while he was sleeping in verandah, 3 persons
variously armed came and abused and assaulted him and took
away ornaments and ten thousand cash.

It has been submitted on behalf of petitioner that
petitioner is not named in the FIR. His name has surfaced in this



case on the basis of confessional statement made by co-accused Damodar Harijan and Bhawesh Tatma. Nothing has been recovered from his possession and he has not been put on T.I.P. It has been further submitted that co-accused Damodar Harijan has been granted bail by the court below itself. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Jokihat (Mahalgaon) P.S. Case No. 205 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each



and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

veena/-

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

