

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2131 of 2021

Arising Out of PS. Case No.-48 Year-2019 Thana- DIGHALBANK District- Kishanganj

MD AGAZ @ MD SHAMSH AGAZ son of ALAUDDIN @ MD. ALAUDDIN RESIDENT OF VILLAGE- HANDI POKHAR, P.S.- DIGHALBANK, DISTRICT- KISHANGANJ.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Hasibur Rahman, Aged About 54, Gender-Male S/o Late Baharuddin, Resident of Village-Handi Pokhar, P.s. Dighalbank, District- Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivpujan Sahay, Advocate
For the State : Mr.J.K.Singh, APP.

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 17-03-2021

Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all the defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner has renewed his prayer for anticipatory bail in connection with Dighalbank P.S. Case No. 48 of 2019, having earlier been rejected by order dated 16.11.2019 in Cr. Misc. No. 59356 of 2019 for the alleged offences under Sections 341, 323, 504, 506, 420, 354(C) and 509 of the Indian Penal Code and Section 67(a) of the I.T. Act.

3. It is submitted that in a subsequent development, the informant has filed a petition before the S.D.J.M., Kishanganj stating, *inter alia*, that he had committed an error in lodging the FIR and has no grievance against the petitioner and his family members.



4. Learned APP appears and has been heard.

5. Be that as it may, in the event of petitioner's arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioner 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 learned S.D.J.M. Kishanganj in connection with Dighalbank P.S. Case No. 48 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. and with further condition as offered by the petitioner that **one of the bailors shall be the informant whose identity shall be properly verified by the learned court below**, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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