

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29759 of 2021

Arising Out of PS. Case No.-147 Year-2017 Thana- BAKHARI District- Begusarai

GULAB MIAN @ GULAB BABU Son of Late Ayub Miyan @ Ayub Miyan,
Resident of Village- Bakhri, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SABNAM KHATOON Wife of Md. Sarfuddin Resident of Village- Bakhri
Garhi Tola- P.S.- Bakhri, Distt- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 02-03-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the
learned Additional Public Prosecutor for the State.

During the course of argument, the learned counsel for
the petitioner has submitted that in paragraph 1 of this bail
petition, Complaint Case No. 133C of 2019, arising out of Bakhri
P.S. Case No. 147 of 2017 has been typed and in paragraph no. 7
of this bail petition, the date of occurrence has incorrectly been
typed as 30.05.2019 in place of 30.05.2017 and similarly, in the
same paragraph, the date of reporting of FIR has been typed as
7.6.2019 in place of 7.6.2017. Therefore, he seeks permission to



make necessary correction in paragraph no. 7 of this bail petition.

Permission is granted.

The petitioner apprehends his arrest in connection with Complaint Case No. 133C of 2019, arising out of Bakhri P.S. Case No. 147 of 2017 registered for offence punishable under sections 341, 323, 354, 504, 506/34 of the Indian Penal Code.

As per allegation, the present petitioner and other accused persons surrounded the informant and her niece Saniya Praveen and misbehaved them. Co-accused Shankar Paswan has also threatened them and inflicted some filthy words.

The learned counsel for the petitioner has submitted that the police has submitted Final Form against the accused persons and the case was proceeded on protest petition. He has further submitted that co-accused Shankar Paswan has been granted anticipatory bail in Criminal Misc. No. 28556 of 2020 by the Co-ordinate Bench, vide order dated 20.01.2021.

Considering the above mentioned facts and circumstances, the petitioner above named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Begusarai in connection with Complaint Case No. 133C of 2019, arising out of Bakhri P.S. Case



No. 147 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; (iii) a condition that the person shall not leave India without the previous permission of the Court. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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