

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44778 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

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LADLY BEGUM Wife of Md. Saddam Resident of village - Jahagirpur
Takiya (Sibna Bandh), P.S.- Mohiuddin Nagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offence under Sections 341, 147, 148, 323,
324, 354, 307, 326, 504, 506 and 34 of the Indian Penal
Code.

The informant is subjected to assault by the
petitioner by means of lathi, danda and iron rod and she was
forcefully been poured hot water at the instance of the
petitioner and others due to which she sustained burn
injury.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. In fact, the alleged occurrence took place on 24.01.2022 whereas the FIR has been instituted on 15.02.2022 after lapse of 21 days without explaining the plausible delay. He further submits that it appears from the FIR itself that no specific allegation of assault or any overt act is attributed to the petitioner rather he is stated to be the order giver in the present case. He further submits that the doctor who has examined the victim has found that the injury sustained by the victim is simple in nature. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of arrest of surrender before the court below within a period of four weeks from the date of order 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 Court below where the case is pending in connection with Mohiuddin Nagar P.S. Case No. 39 of 2022, subject to the conditions laid down under Section 438(2) of



the Cr.P.C. as also with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

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.

(Rajesh Kumar Verma, J)

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