

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58854 of 2021

Arising Out of PS. Case No.-46 Year-2017 Thana- NIMCHAKBATHANI District- Gaya

MD SAMAD @ ABDUL SAMAD S/o Md. Nausad Resident of Village-
Saran, P.S. Neemchak Bathani, District- Gaya at present resides at House
No.583, Block- E, Jahagir Puri, North West Delhi, P.S.- Jehagir Puri, District-
Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 341, 323, 379, 448
and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that the accused persons entered her house, abused and
assaulted her and her daughter and snatched gold chain from the
neck of the informant, it is next alleged that occurrence took place
because ten days prior to the occurrence children of both the parties
had quarreled with each other.

Learned counsel for the petitioner submits that no specific
overt act has been alleged against the petitioner and on account of
petty dispute, the present case came to be instituted and there is



absolutely nothing in the allegation which could even remotely attract Section 376 and 511 of the I.P.C. The learned counsel next submits that Md. Atik and Md. Ashif have been granted anticipatory bail by order dated 13.12.2017 in Cr. Misc. No. 55782 of 2017.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Neemchak Bathani P.S. Case No. 46 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned court below before accepting the bail bonds of the petitioner shall verify that if any process under Section 82 of the Cr.P.C. has been issued then the present order shall not be acted upon.

(Satyavrat Verma, J)

Shivam/-

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

