

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40360 of 2023

Arising Out of PS. Case No.-285 Year-2017 Thana- KISHANPUR District- Supaul

MD. ANISH @ MD. ANISH ALAM S/O MD. SAMIRUDDIN @ MD.
SAMIR R/O Village- Tharvitta, Ward No.-13, P.S- Kishanpur, Distt.- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupa Kumari, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-07-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Kishanpur P.S. Case No. 285 of 2017 for the offence punishable under Sections 147, 341, 323, 324, 354 B, 447, 379, 504/ 506 of I.P.C. lodged on 17.10.2017 by the informant Md. Salim.

As per the prosecution story, the accused persons were throwing grasses at the door of the informant and when it was opposed, they were assaulted. So far as this petitioner is concerned, it is alleged that he grabbed the hair of the informant's daughter and put her on the ground and snatched her belongings. Accordingly the FIR.

Learned counsel for the petitioner submits that an exaggerated FIR is there and so far as this petitioner is



concerned, there is only allegation of putting the informant's daughter on the ground.

Learned APP opposes the prayer.

Taking into account the aforesaid submission put forward by the learned counsel for the petitioner as also the fact that he is young boy of 22 years and do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of the receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-V, Supaul, in connection with Kishanpur P.S. Case No. 285 of 2017, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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