

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47697 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- JOKIHAT District- Araria

Md. Jahangir, Son Of Md. Mohiuddin @ Mohiuddin, Resident Of Village-
Matiyari, Ward No. 7, P.S.-Jokihat , Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha, Advocate

For the Opposite Party/s : Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Jokihat (Mahalgoan) P.S. Case No.54 of 2023 registered for the offences punishable under Sections 341, 323, 379, 354(B), 504, 506 and 195(A)/34 of the Indian Penal Code and later on Section 307 I.P.C. was also added. The petitioner has got one criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he along with other co-accused were involved in assaulting her wife who is informant of this case and also snatching a golden chain from her neck and took out Rs.4,000/- cash, ATM card, passbook and valuable papers from her purse. Further allegation is that the co-accused Mustakim



torn the clothes of the informant and made her naked.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the allegations are false and flimsy and the injuries alleged are said to be simple in nature.

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

6. Having regard to the submission that the petitioner is facing a matrimonial discord with his wife who is informant of this case, the matrimonial case no.183 of 2022 under Section 281 of Mohammadan Law is pending and the submission that the allegations are false and flimsy and further that the injuries alleged are said to be simple in nature, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Jokihat (Mahalgoan) P.S. Case No. 54 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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