

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18068 of 2024

Arising Out of PS. Case No.-820 Year-2023 Thana- KATIHAR NAGAR District- Katihar

Md. Rizwan Son Of Md. Hassan R/O-Chaudhary Mohalla, P.S.-Town, Distt.-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Katihar Town P.S. Case No. 820 of 2023, registered for the alleged offence under Sections 363, 366, 323, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, the wife of the informant eloped with co-accused Md. Bakruddin. When the informant went to inquire about them from the family members of the co-accused Md. Bakruddin, this petitioner and other co-accused persons hurled filthy abuses and also assaulted the informant and threatened him with life.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner has no role in the elopement of the wife of the informant and this fact is clear from the FIR itself. The FIR has been lodged after much delay, as for an occurrence of dated 17.09.2023, FIR has been registered on 03.11.2023 and there is no explanation for the delay. During investigation, the brother of the wife of the informant has candidly accepted that his sister eloped with Md. Bakrduddin earlier as well but due to social pressure, she returned. The petitioner is having no criminal antecedent and only allegation against the petitioner is that of hurling abuses and misbehaving with the informant.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the completely non-serious nature of allegation against the petitioner and further considering the possibility of false implication in the background of delay in lodging the FIR, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Katihar/concerned court in connection with
Katihar Town P.S. Case No. 820 of 2023, subject to the
condition laid down under Section 438(2) of the Code of
Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each
and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

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