

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 33274 of 2024

Arising Out of PS. Case No.-236 Year-2023 Thana- MADHUBANI TOWN District-
Madhubani

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Bishal Pandit @ Bishan Kumar @ Vishal Pandit@ Bishal kumar SON OF
Late Prahlad Pandit Village- Mahnathi Lal Chowk murti Kala Painter Nariyal
Bazar Ward No 09 P S- Madhubani District -Madhubani 847211

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-10-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Madhubani Nagar P.S. Case No. 236 of 2023 for the offence under Sections 341, 323, 324, 354(B)/ 379, 504, 506 and 34 of the Indian Penal Code lodged on 08.07.2023 by the informant, Vikram Pandit.

3. As per the prosecution story, the informant has alleged that due to dispute regarding partition of house and shop, the accused persons armed variously came and allegation against this petitioner as also Vishal Pandit is of assaulting own brother, the informant herein. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that it is purely a civil matter, the parties were trying to partition the ancestral property in which certain scuffles took place but



exaggerating the F.I.R., his name has come. The lady is his sister-in-law and he gives due respect and regard she being elder to him.

5. Learned APP for the State opposes the prayer submitting that the allegation against the petitioner is of outraging the modesty.

6. Taking into account the facts of the case, as also the submissions put forward by the parties, the case has been lodged, the petitioner will be facing the music, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Madhubani Nagar P.S. Case No. 236 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative 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 appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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;

(v) 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.

(Rajiv Roy, J.)

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