

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35140 of 2024

Arising Out of PS. Case No.-29 Year-2022 Thana- RUDRAPUR District- Madhubani

1. Sadakat Alam@ Sadakat SON OF MD. SABBIR Village -Dumra ,PS -Rudrapur , Dist -Madhubani
2. FIROJ ALAM @ MD. FIROJ SON OF MD. SAUKAT ALI Village -Dumra ,PS -Rudrapur , Dist -Madhubani
3. TAMANNA ALAM @ MD. TAMANNE SON OF MD. SAUKAT ALI Village -Dumra ,PS -Rudrapur , Dist -Madhubani
4. MD. SAUKAT ALI @ MD. SAUKAT SON OF MD. ABDUL RAUF Village -Dumra ,PS -Rudrapur , Dist -Madhubani
5. MD. MD. MUMTAJ ALAM @ MUMTAJ SON OF MD. SAUKAT ALI Village -Dumra ,PS -Rudrapur , Dist -Madhubani
6. MD. SABBIR @ SABBIR SON OF MD. ABDUL RAUF Village -Dumra ,PS -Rudrapur , Dist -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Rudrapur P.S. Case No. 29 of 2022 registered under Sections 341, 323, 354(B) and 504/34 of the Indian Penal Code lodged on 21.02.2022 by the informant, Anwari Khatoon.

3. As per the prosecution story, the informant alleged that despite the judgment in her favour, the accused persons



were filling soil on the disputed land and upon protest assaulted the informant's son by bamboo stick who was brought to Andhrathari hospital. Further allegation is of snatching of gold chain. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that a bare perusal of the FIR would show that minor scuffle took place on the family members/lady. Further submission is that injury has not been found to be grievous in nature.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that he has criminal antecedent.

6. Taking into account the allegation that has come against the petitioner as also the averment that the injuries are simple in nature, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Jhanjharpur, Madhubani in connection with Rudrapur P.S. Case No. 29 of 2022, 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/relative of the petitioner who shall provide official document to show his/her *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/her 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 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 his 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 the bail bonds.

(Rajiv Roy, J)

Jagdish/-

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

