

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58805 of 2024

Arising Out of PS. Case No.-223 Year-2018 Thana- KURSAKANTA District- Araria

Md. Zabbar @ Md. Jabbar S/o- Md. Saleem Village- Dhauabari Ps-
Kurshakanta Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Nath Dubey, Advocate
For the State	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-09-2024 Heard the parties.

2. The petitioner is in custody in connection with Kurshankanta P.S. Case No. 223 of 2018 for the offence punishable under sections 341, 323, 324, 365, 379, 504 and 34 of the Indian Penal Code lodged on 13.10.2018 by the informant, Aisha Khatoon.

3. As per the prosecution story, the informant alleged that when when she went to her parental to see her uncle, the accused persons put barricade on her backdoor. This was protested by the children where after they assaulted her children and took away money and ornaments. When she returned, found her daughter missing. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that the informant willingly served the daughter for domestic help to



Delhi and later when dispute arose relating to payment of salary, the case. It is his submission that he has already suffered by being in custody since 25.04.2023 (paragraph no.8 of the petition).

5. Learned APP opposes the prayer submitting that the case lodged in the year 2018, the petitioner came in judicial custody only on 25.04.2023.

6. Earlier the matter was taken up by coordinate Bench (Hon'ble Mr. Justice Sunil Kumar Panwar) and it was rejected on 23.08.2023 in Cr. Misc. No. 43790 of 2023 (Annexure P/1 of the petition).

7. This is the second attempt of the petitioner, the allegation is there, he will have to face the trial, considering his period of custody as also that he has no criminal antecedent, this Court is inclined to extend him the privilege of bail.

8. Let the petitioner 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 Additional Sessions Judge, Araria, in connection with Kurshankanta P.S. Case No. 223 of 2018, subject to 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/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 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.

(Rajiv Roy, J)

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