

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45780 of 2015

Arising Out of PS.Case No. -152 Year- 2014 Thana -
BALRAMPUR District- KATIHAR

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Anjar, Son of Md. Sabid, resident of Village - Baluganj, P.S -
Balrampur (Telta O.P.), District - Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Umeshnand Pandit (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

2 05-10-2015

Heard learned counsel for the petitioner and
learned Assistant Public Prosecutor for the State.

This application for grant of regular bail arises
out of Balrampur (Telta O.P.) P.S. Case No.152 of 2014,
disclosing offences under Sections 376, 313, 471,
120(B)/34 of the Indian Penal Code.

Learned counsel, appearing on behalf of the
petitioner, contends that no offence under Section 376 of
the Indian Penal Code is made out, on the basis of the
allegations, as contained in the First Information Report.
He further submits that the prosecution case, as narrated
by the informant in the First Information Report, is highly
improbable. He also submits that, as per the First

Information Report, the offence was allegedly committed by the petitioner nearly six months prior to the date of institution of the First Information Report, which creates serious doubt about the offence being committed.

I find substance in the submission made on behalf of the petitioner. This application is, accordingly, allowed. The petitioner, abovenamed, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Katihar** in connection with **Balrampur (Telta O.P.) P.S. Case No.152 of 2014.**

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required, and in the event of failure on his part to appear before the Court, on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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