

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.959 of 2015

Arising Out of Sherghati PS.Case No. -182 Year- 2014 Thana -
SHERGHATI District- GAYA

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1. Meraj Anshari Son of Mozibur Rahman @ Muzib Anshari, Resident of
Village - Sagarpur, P.S. – Mohanpur, Dist. Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. Jugnu Parveen @ Jugnu Khatoon D/o Alphajuddin Anshari, Resident of
Village - Vaxi, P.S. – Dhobhi, Distt. - Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary
For the Opposite Party/s : Mr. Uday Chandra Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

4 14-05-2015 This is an application, made under Section 438 of the

Code of Criminal Procedure, seeking pre-arrest bail by the
petitioner, namely, Meraj Anshari in connection with Sherghati
Police Station Case No. 182 of 2014 under Section 376 of the
Indian Penal Code.

Perused the above application and materials on record
including a copy of the order, dated 07.08.2014, passed, in A.B.P.
No.1599 of 2014 by the learned Sessions Judge, Gaya dismissing
the said application for pre-arrest bail.

Heard Mr. Braj Nandan Kumar Tiwari, learned
counsel for the petitioner, and Mr. Uday Chandra Prasad, learned
Additional Public Prosecutor, appearing on behalf of the State.



Considering the fact that the alleged victim girl has made a statement under Section 164 of the Code of Criminal Procedure to the effect that after her marriage with the applicant-petitioner, she is living with the petitioner as husband and wife and she has, now, no complaint against her husband, who is petitioner herein, and considering also the fact that perusal of the record does not reveal against the petitioner, any such incriminating materials, which would warrant his custodial detention and interrogation, this Court is of the view that the petitioner has been able to make out a case calling for appropriate direction for pre-arrest bail.

Considering, therefore, the matter in its entirety and in the interest of justice, it is hereby directed that the petitioner above-named shall, in the event of his arrest in connection with the case aforementioned, be released on bail of Rs. 10,000/-, with two sureties of the like amount, subject to the satisfaction of the Officer-in-Charge, Sherghati Police Station, Gaya . This direction for bail is further subject to the condition that the petitioner above-named shall, within two weeks from today, appear before the Officer-in-Charge, Sherghati Police Station, and make himself available for interrogation by police at all reasonable time and shall not, directly or indirectly, make any inducement, threat or

promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

This application for pre-arrest bail shall stand disposed of in terms of the above observations and directions.

Let a copy of this order be sent, forthwith, to the Officer-in-Charge, Sherghati Police Station, District Gaya.

Send also a copy of this order, forthwith, to the Superintendent of Police, Gaya, by fax.

(I. A. Ansari, J)

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