

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20254 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -BARARI District- KATIHAR

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Md. Tafizul, Son of Abu Talib, Resident of village - Balughat, P.S. Barari
(Semapur), District - Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Arvind Kr.Pandey(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 23-07-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is apprehending his arrest in connection with Barari (Semapur) P.S. Case No.06 of 2015 for allegedly having committed the offence under Sections 376 and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that entire allegation against the petitioner is false and fabricated and the lady in question is of questionable character. He further submits that the complainant is in the habit of making such allegations against co-villager and earlier also she had filed similar case against one Sheru, who has since been acquitted of the charge, as alleged against him. In support of his

submissions, learned counsel for the petitioner has brought on the record copy of the F.I.R. filed in the earlier case against Sheru and also the judgment by which he has been acquitted.

Considering the nature of the allegations made against the petitioner and the peculiar story having been carved out by complainant, coupled with the fact that the petitioner has no criminal antecedents, let the above named petitioner, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri S. Kumar, learned Judicial Magistrate, 1st Class, Katihar, in connection with Barari (Semapur) P.S. Case No.06 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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