

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44878 of 2015

Arising Out of PS.Case No. -175 Year- 2013 Thana -JOKIHAT District- ARRARIA

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Hannan @ Abdul Hannan @ Md. Mannan son of late Hafij resident of
Village Rani, P.S. Jokihat, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

2 15-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends arrest in Jokihat P.S. Case
No. 175 of 2013 dated 07.07.2013 instituted under Section 376 of
the Indian Penal Code.

As per the allegation the petitioner is said to have
committed rape on the informant while she was cutting grass in a
field.

Learned counsel for the petitioner submits that the
informant namely Bibi Ansari is a married lady and there was no
occasion for her to cut grass as she and her family are the tenant of

the petitioner. It is submitted that sharing the relationship between the landlord and the tenant, the occurrence is unbelievable and that because of there being some dispute with regard to payment of rent, the petitioner has been falsely implicated. It is submitted that the petitioner has clean antecedent and the police had found the case to be false and submitted final form. However, the court below has taken cognizance against the petitioner.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Araria in Jokihat P.S. Case No. 175 of 2013 corresponding to G.R. No. 1441 of 2013, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

Anjani/-

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