

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14547 of 2015

Arising Out of PS.Case No. -416 Year- 2014 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

=====

Md. Tabarak @ Bhulla Son of Md. Ahwar, Resident of village- Sankh
Taraiya, Mobarakhpur, P.S.- Begusarai Muffasil, District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma, Advocate

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 376/34 of the Indian
Penal Code.

It is alleged that on 07.02.2014 hands and legs of the
informant was caught by co-accused Md. Kismat and Md. Sadre
Alam @ Hasnain when this petitioner committed rape on her.
Subsequently, the petitioner promised to marry with the informant
but he did not do so, hence, the informant was married with one
Md. Akram. However, Md. Akram came to know about the
incident and he divorced her and, thereafter, the present FIR was
lodged on 22.11.2014.

It is submitted by learned counsel for the petitioner that

for the alleged occurrence of 07.02.2014, the FIR was registered on 22.11.2014. There is no medical report and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering delayed lodging of the case without any medical opinion with regard to the offence being committed and statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Muffasil P.S. Case No.416 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--