

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7571 of 2016

Arising Out of PS.Case No. -81 Year- 2015 Thana -MAHILA PS District- JAMUI

1. Md. Ijrail Son of Suleman Mian, Resident of Village - Chakai Nagri,
P.S. - Chakai, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Aditya Narayan Singh - 1(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 17-03-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Jamui Mahila Police Station Case No. 81 of
2015, disclosing offences under Sections 376, 511, 147,
323, 380, 384, 427 and 504/34 of the Indian Penal Code.

The complaint petition filed by the informant is
the basis for registration of the present First Information
Report.

It is alleged against the petitioner that on the
alleged date of occurrence, the petitioner had entered into
the room of the informant and attempted to outrage her
modesty and rape her. Upon the cries raised by her and the

children sleeping with her, the petitioner is said to have fled away. It is alleged that on subsequent day, when the matter was being discussion with the neighbours, the petitioner and other co-accused persons attempted to assault the husband of the informant.

Learned Counsel for the petitioner is right in his submission that no offence under Section 376 of the Indian Penal Code is made out on the basis of the allegation as contained in the First Information Report.

Considering the nature of dispute between the parties and allegations contained in the First Information Report, this application is allowed.

Let the petitioner, Md. Ijrail, in the event of his arrest or surrender before the Court below within six weeks from today, 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 learned Sub Divisional Judicial Magistrate, Jamui, in connection with Jamui Mahila Police Station Case No. 81 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---