

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14160 of 2016

Arising Out of PS.Case No. -222 Year- 2015 Thana -BAKHRI District- BEGUSARAI

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Md. Ataul, son of Md. Iliyas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 457, 341, 323, 504, 376 and 511 of the Indian Penal Code.

Prosecution case is that on 12.09.2015 at 11.00 PM the petitioner and co-accused Md. Masid Aham entered into the house of the informant and offered money to allow them to establish physical relation. On protest being made the informant was assaulted and co-accused persons made an attempt to ravish her.

It is submitted by learned counsel for the petitioner that for the occurrence of 12.09.2015 at 11.00 PM in the night, the FIR was registered on 13.09.2015 at 10.30 PM and even assuming the accusation no offence under sections 354, 376/511 is made out. There is no medical report on record. Moreover, the

informant has retracted from initial version and has filed a petition to that effect before the learned court below, the same has been brought on record as annexure-2 to the petition. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, 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 Judicial Magistrate, 1st Class, Begusarai in connection with Bakhari P.S. Case No.222/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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