

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44755 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -PIRPAINTI District- BHAGALPUR

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1. Gabbar Kumar Mandal Son of Late Radhey Mandal Resident of Village-
Malikpur, P.S.- Pirpainti, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 05-12-2016

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Pirpainti P.S. Case No. 50 of 2016 disclosing offences under Sections 376, 120B, 504 and 506 of the Indian Penal Code.

I find substance in the submissions made on behalf of the petitioner that no offence under Section 376 of the Indian Penal Code can be said to be made out on the basis of what has been alleged in the First Information Report, the allegation of physical relationship said to have been established between the petitioner and the informant being with consent.

Considering the above, this application is allowed. Let the petitioner above named in the event of his arrest/surrender within four weeks from today in the Court below 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 the learned Chief Judicial Magistrate, Bhagalpur in Pirpanti P.S. Case No. 50 of 2015, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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