

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18838 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -BAJPATTI District- SITAMARHI

=====

Md. Jiyaul @ Md. Jaul, Son of Abdul Salam, R/o village - Mirjapur, P.S.
Bajpatti, District - Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anant Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Bajpatti P.S. Case No. 16 of 2016, disclosing offences under
Section 376 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that no
offence under Section 376 of the Indian Penal Code is made out
on the basis of allegation as contained in the complaint petition,
which is the basis for registration of the First Information Report.
He has submitted that the physical relationship as alleged in the
complaint petition, if any, is consensual in nature.

I find substance in the submission made on behalf of
the petitioner. This application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri at Sitamarhi in connection with Bajpatti P.S. Case No. 16 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)

Vats/-

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