

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2522 of 2016

Arising Out of PS.Case No. -279 Year- 2015 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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Md. Rizwan S/o Md. Dillu @ Geyasuddin, Resident of Mohalla - Kona Saray, Khanquah, Police Station - Lhariri, District - Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 19-01-2016 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Laheri P.S. Case no. 279 of 2015, disclosing offences under sections 376 and 120-B of the Indian Penal Code.

On perusal of the complaint petition, which is the basis for registration of the first information report under section 156(3) of the Code of Criminal Procedure, 1973, it transpires that physical relationship, if any, between the petitioner and the informant was consensual relation and not forcibly made by the petitioner.

In view of the above, 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 the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Laheri P.S. Case No. 279 of 2015 (arising out of Complaint Case No. 1027C of 2015), subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

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)

Amin/-

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