

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53268 of 2016

Arising Out of PS.Case No. -122 Year- 2016 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Jakir Ansari S/o Late Mustafa Ansari, R/o Village- Madhopur Mahuawa,
P.S.- Chiraiya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sayara Khatoon W/o Manir Ansari, D/o Nayumuddin Ansari Nagari, R/o
Village- Harihara Tola Jalholi, P.S.- Sikarganj, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioner is apprehending his arrest in a case
instituted for the offences punishable under Sections 498-A, 376,
511 and 34 of the Indian Penal Code.

Allegation against the petitioner is of torture and
cruelty. It is alleged that the petitioner tried to commit rape upon
the informant.

Learned counsel appearing for the petitioner
submitted that the petitioner is falsely implicated in this case.
There is no specific allegation of torture and assault against this
petitioner. There are no ingredients to make out a case under



Section 376 against the petitioner. Moreover, the informant has performed another marriage with another person and she does not want of live with in-laws.

Learned A.P.P. has submitted that these petitioners are named in the F.I.R.

Regard being had to the facts and circumstances of the case, this anticipatory bail application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below, within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand rupees only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 122 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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