

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44533 of 2015

Arising Out of PS.Case No. -372 Year- 2015 Thana -KHAZANIHAT District-
PURNIA

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Md. Mozakkir @ Md. Mozakki @ Md. Mozakkir Alam, Son of
Ghulam Kibriya, Resident of Village - Faryani, Police Station
- Shrinagar in the District of Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the State : Md. Ashlam Ansari (A.P.P.)

For the Informant : Mr. Sudhanshu Shekhar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

7 26-02-2016

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory
bail, arises out of K. Hat (Sahayak) P.S. Case No.372
of 2015, disclosing offences under Section 376 of the
Indian Penal Code.

Learned counsel for the petitioner, referring
to the First Information Report, submits that no

offence, under Section 376 of the Indian Penal Code, is made out against the petitioner on the basis of allegation as contained therein.

Learned counsel for the informant, in the peculiar facts and circumstances of the case, does not oppose the prayer for grant of anticipatory bail.

In view of the submission, as above, and stand taken by learned counsel for the petitioner and the informant, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Purnea**, in connection with **K. Hat (Sahayak) P.S. Case No.372 of 2015 (G.R. No.2430 of 2015)**, subject to the condition 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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