

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16500 of 2016

Arising Out of PS.Case No. -62 Year- 2014 Thana -BAHADURGANJ District- KISANGANJ

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1. Barkat Ali @ Barktulah S/O- Kalu Ansari Resident of Village- Dohmani,
P.S.- Bahadurganj, District-Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Satyendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 16-05-2016

Heard both sides.

The petitioner apprehends his arrest in a case under
Section 363, 366A, 376, 372 and 379 of the Indian Penal Code.

The informant alleged that the petitioner along with
Md. Allauddin, Md. Ansar Alam @ Ansar and Munna committed
rape with her.

It is submitted that Md. Allauddin was put on trial
vide Sessions Trial No. 1054 of 2014 and he was acquitted.
Thereafter, Md. Ansar Alam @ Ansar moved for anticipatory bail
and a coordinate bench of this court vide order dated 02.05.2016
passed in Cr. Misc. No. 13554 of 2016 allowed anticipatory bail to
Md. Ansar Alam on the ground that co-accused, Md. Allauddin
has been acquitted.

Considering the fact that similarly situated accused Md. Ansar Alam @ Ansar has been granted anticipatory bail vide order passed in Cr. Misc. No. 13554 of 2016 and the case of petitioner stands on the same footing, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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, Kishanganj in Bahadurganj P.S. Case No. 62 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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