

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27194 of 2017

Arising Out of PS.Case No. -29 Year- 2015 Thana -MAHILA P.S. District- PURNIA

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1. Dilshad @ Md. Dilshad Son of Md. Salim, Resident of Village-
Indwawari, P.S.- Amour, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 01-07-2017 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Mahila (Purnea) Police Station Case No. 29 of
2015, disclosing offences 376/34 of the Indian Penal Code.

Learned Counsel for the petitioner appears to be
right in his submission that except for use of the word
'*balatkar*' (rape) in the First Information Report, no
ingredient of the offence punishable under Section 376 of
the Indian Penal Code is available in the First Information
Report. He has also submitted that the allegations made in
the First Information Report indicate that the same has
been registered to create a pressure so that the petitioner



might marry the informant.

Considering the above submission, this application is allowed.

Let the petitioner, Dilshad @ Md. Dilshad, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri D. Prakash, learned Judicial Magistrate, 1st Class, Purnea, in connection with Mahila (Purnea) Police Station Case No. 29 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.)

Prabhakar Anand/-

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