

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55633 of 2016

Arising Out of PS.Case No. -401 Year- 2014 Thana -JOKIHAT District- ARRARIA

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1. Etahe Sham @ Md. Etahsham @ Etahsam @ Ethesam, S/o Jalal,
resident of village- Bansiya, P.S. Jokihat (Mahalgaon), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 06-02-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Jokihat
(Mahalgaon) P.S. Case No.401 of 2014 instituted for the offence
under Section(s) 341, 342, 323, 376, 504, 506/34 Indian Penal
Code.

It has been submitted on behalf of the petitioner that
there is specific allegation against co-accused Salim @ Guddu of
establishing physical relationship with the informant on the
pretext of performing marriage with her. There is also allegation
in the middle of the written report that this petitioner with Salim
took the victim to an orchard and on the point of knife committed
illegal act with her. It has further been submitted that the victim



girl has already been married with Salim and on the aforesaid ground he has been granted bail by the lower Court itself vide BP No.259 of 2015 by order dated 30.04.2015 (Annexure-4).

In the facts and circumstances of the case, prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Jokihat (Mahalgaon) P.S. Case No.401 of 2014, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge, Araria, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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