

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1652 of 2017

Arising Out of PS.Case No. -17 Year- 2014 Thana -MAHILA P.S. District- BHAGALPUR

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Md. Aftab @ Md. Aftab Alam Son of Md. Faiyaz, resident of Jamni Tola,
P.O. & P.S. Jagdishpur, Dist.-Bhagalpur, Bihar,

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Gulafshan W/O Md. Aftab Alam, resident of Kheri O.P. Bandh,
P.O. & P.S. Jagdishpur, District- Bhagalpur, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjum Perveen

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

7 03-04-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

Informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Bhagalpur Mahila P.S.
Case No. 17 of 2014/ G.R. No. 1016 of 2014 for the offences
punishable under sections 376, 420, 307 and 34 of the I.P.C.

Earlier prayer for pre-arrest bail of the petitioner was
refused by order dated 16.09.2014 passed in Cr. Misc. No. 28104
of 2014 and now the petitioner again sought the same relief on the
ground that good sense has prevailed between the parties and the
informant is living with the petitioner as his wife and as such the



petitioner deserves sympathetic consideration.

The learned counsel for the informant also submits that the informant is living with the petitioner as his wife.

In the facts and circumstances as stated above, the petitioner is directed to surrender in the court below and seek regular bail then his prayer for regular bail will be considered in the light of the development that the petitioner has performed marriage with the informant and the informant and petitioner are living together and in the light of the aforesaid situation the petitioner shall be released on bail to the satisfaction of the learned court below itself.

Accordingly, this Criminal Miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J)

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