

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32910 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -MAHILA PS District- KATIHAR

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Anarul Son of Shahjahan Ali Resident of Village- Teen Paniya, P.S. Korha,
District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner, learned

counsel for the informant and learned counsel appearing on behalf

of the State.

The petitioner is apprehending his arrest in connection
with Mahila P.S. Case No. 15 of 2017 for the offences instituted
under Sections 376, 498(A), 379, 323 and 506/34 of the Indian
Penal Code.

The allegation against the petitioner is of committing
rape upon the victim.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case. The



petitioner is *Nandoshi* of the informant. He is separate in mess and property from the husband of the informant. The allegation of commission of rape has been made after six months of the alleged occurrence. The delay has not been explained by the prosecution.

On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Mahila P.S. Case No. 15 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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