

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47005 of 2018

Arising Out of PS. Case No.-57 Year-2017 Thana- MAHILA P.S. District- Nawada

Md. Hatim @ Ibbetaz Ansari, Son of Fkruddin, Resident of Village- Bari Gulni, P.S.- Dhamaul, Dist- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Sri Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Mahila P.S. case no. 57 of 2017 instituted for the offence under Section(s) 376 (E) of the Indian Penal Code.

Learned counsel for the petitioner has submitted that victim girl has stated in her F.I.R. as well as in her statement made under Section 164 Cr.P.C. that she was in love affairs with petitioner and she became pregnant due to physical relationship established by the petitioner with her.

Learned counsel for the petitioner has submitted that now matter has been compromised between the parties. They have also performed marriage. The joint compromise petition has been filed in the Court below which has been annexed as



Annexure 4 and 4/1 of this bail petition.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Mahila P. S. case no. 57 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the SDJM, Nawada, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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