

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61356 of 2017

Arising Out of PS.Case No. -256 Year- 2016 Thana -ARARIA District- ARRARIA

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Md. Manzar Alam @ Manzar Alam S/o Late Aulad Ali @ Aulad, R/o
Village- Bochi, P.S.- Araria (Bairgachhi O.P.), District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 02-02-2018 Heard the learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection
with Araria (Bairgachhi O.P.) PS case no. 256 of 2016 registered
for the offences punishable under Sections 363 and 365 of the
Indian Penal Code.

The case of the prosecution is that the victim girl had
gone out of her house and thereafter she became traceless.
Subsequently, she was found in remand home and after her parents
got in contact with her, it was found that some untoward incident
had taken place and a case was lodged against unknown person.
During the course of investigation, the name of the petitioner had
transpired as one of the accused persons.



The learned counsel for the petitioner submits that though the petitioner has not been named by the victim, but the petitioner has been named by her in her statement under section 164 Cr. P. C. However, it is submitted that the statement of the victim girl has been verifying from time to time. It is further submitted that even the police has found the case to be untrue and had submitted final form. In any case the petitioner is having a clean antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the court concerned within a period of six weeks from the date of receipt/ production of a copy of this order, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria (Bairgachi O.P.) PS case no. 256 of 2016, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

The petitioner is directed to be present before the learned trial court on each and every date so fixed by the learned trial and in case of default in appearance on two consecutive occasions, the present privilege of anticipatory bail shall stand cancelled



automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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