

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50122 of 2018

Arising Out of PS.Case No. -117 Year- 2016 Thana -FULKAHA District- ARRARIA

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1. Kalam Bhand S/o late Sudma Bhand Resident of Village- Naya Tola,
Nawabganj, P.S. Fulkaha, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 14-08-2018 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Fulkaha Police Station Case No. 117 of 2016, disclosing
offences under Sections 363 and 366 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence. In fact, the victim in her statement
recorded under Section 164 Cr. P.C. has admitted that she out of
her sweet will has performed second marriage with the
petitioner, which is evident from annexure-2. Therefore, no case
under Section 363 and 366 of the Indian Penal Code is made out
against the petitioner. Hence, the petitioner deserves the



privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Class, Araria, in connection with Fulkaha Police Station Case No. 117 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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