

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44733 of 2018

Arising Out of PS.Case No. -19 Year- 2017 Thana -MAHILA P.S. District- PURNIA

=====

1. Md. Tabrej Alam Son of Md. Abrul resident of village - Ramjani, P.S. - Jankinagar, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Mahila P.S. Case No. 19/2017, instituted for the offences punishable under Sections 376 and 420 of the Indian Penal Code.

It is alleged in the written report that the informant had developed love affair with this petitioner and when the parents of the informant were outside the house, the petitioner established physical relationship with her. It is also alleged that he established physical relation several times as mentioned in the written report.

Learned counsel for the petitioner has submitted that the instant case has been filed only to force the petitioner to perform marriage with the informant.

As per allegation in the written report, this Court finds



that the girl had love affair with petitioner and with her consent this petitioner has established physical relationship as alleged.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner 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. 19/2017, 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 learned Sub-Divisional Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438(2) of the 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 tamper 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.)

Rakhi

U		T	
---	--	---	--

