

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.122 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- ABADPUR District- Katihar

Manowar Hussain aged about 35 years male son of Late Badruddin @
Badiruddin, resident of Village- Potla Pokhar, Police Station- Abapur,
District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. Murlidhar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 10-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Abadpur P.S. Case No. 106 of 2018
registered for offences under sections 323, 504, 506, 379, 376,
377, 34 of the Indian Penal Code.

The allegation against the accused persons is very
heinous in nature. As per First Information Report, the accused
persons have committed rape upon the victim girl one by one.

Learned counsel for the petitioner submits that all
the alleged accused persons are witness against the case which
is running against the husband of the Informant.

Inasmuch as, the alleged date of occurrence is
7.7.2018 but, the case before the police has been lodged on



1.9.2018, there is a delay of about two months, that too, without any explanation for such delay.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Manowar Hussain, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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, Katihar in connection with Abadpur P.S. Case No. 106 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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