

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5635 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- MAHILA P.S. District-
Nalanda

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Tauseef Anwar @ Dimple Moizuddin Village - Andhana, P.S. - Noorsarai,
Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 341, 323, 504, 506,493, 313/34 IPC registered in
connection with Mahila P.S. Case No. 101 of 2018.

3. It is submitted that the petitioner has been falsely implicated
and the accusation that the petitioner had established physical relation
on the pretext of marriage, but later resciled. It is alleged that when
the informant become pregnant the petitioner took her to Khusboo
Clinic and got her pregnancy aborted. Specific statement has been
made in para 11 of the petition that the informant was medically
examined, but the Doctor did not opine that she had either been
pregnant or that her pregnancy had been aborted. It is therefore,
submitted that the accusations are not supported by the medical
report. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant
appearing *suo motu* oppose the anticipatory bail petition.

5. Be that as it may, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Nalanda at Biharsharif, in connection with Mahila P.S. Case No. 101 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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