

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9000 of 2019

Arising Out of PS. Case No.-229 Year-2018 Thana- PARBATTa District- Khagaria

MD. KARIM, S/o Md. Aslam, Resident of village-Dumar Kothi, P.S.-Parbatta
(Maraiya), District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-02-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with Parbatta P.S. Case No. 229 of 2018 registered for the offences punishable under Sections 376, 511, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that it is a case of false implication as the petitioner and the informant are neighbours and the petitioner has been implicated in this case because he was not willing to marry with the daughter of the informant.

Learned APP for the State is present and has opposed the prayer for anticipatory bail on the grounds stated in the impugned order. It is pointed out that the witnesses in various



paragraphs of the case diary have supported the allegations against the petitioner.

In the given facts and circumstances of the case, although this Court is not willing to extend the benefit of anticipatory bail to the petitioner, in case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, the court below shall consider the materials available in the case diary particularly as to whether there is any independent witness to support the allegation and shall take a view thereon in accordance with law and without being prejudiced by the fact that this Court has not extended the privilege of anticipatory bail to the petitioner. The regular bail of the petitioner shall not be rejected only because this Court has not extended the privilege of anticipatory bail to the petitioner.

The application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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