

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2791 of 2019**

Arising Out of PS. Case No.-419 Year-2017 Thana- CHHATAPUR District- Supaul *

Md. Basir son of Feku Mian resident of Village - Dehpori, P.S. - Raghapur,
District.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary
For the Opposite Party/s : Mr. Jai Narain Thakur

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 12-03-2019 This is an application for grant of anticipatory bail in connection with Chhatapur P.S. Case No. 419 of 2017, disclosing offences under Sections 341, 323, 379, 376, 366, 120(B)/34 of the Indian Penal Code.

Allegation as per F.I.R. is that marriage of the complainant was fixed with the co-accused Mohd. Aslam and he has taken her on the plea that his mother is ill and wanted to see her and forcibly committed rape upon her and thereafter on pressure, he got her back to the village and demanded Rs.1,50,000/- and it is also alleged that co-accused Mohd. Aslam got her by motorcycle, which was driven by the petitioner and the co-accused dropped her near her house and looted her ornaments.

Submission of learned counsel for the petitioner is



that so far this petitioner is concerned, only allegation is that he was driving the motorcycle and there is no allegation of demand or rape against this petitioner. Further, he has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. 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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-Ivth, Supaul, in connection with Chhatapur P.S. Case No. 419 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Amjad/-

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