

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69269 of 2019

Arising Out of PS. Case No.-181 Year-2019 Thana- JAGDISHPUR District- Bhojpur

HAIDAR KHAN Son of Late Mahrum Umar Khan Resident of Village -
Dawan, P.S.- Jagdishpur, District- Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sunil Kumar Yadav
For the Opposite Party : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehend his arrest in connection with
Jagdishpur P.S.Case No. 181 of 2019 instituted for the offence
under Section(s) 323,307, 376,504 and 506/34 of the Indian
Penal Code.

As per averments made in the petition, the petitioner has
no criminal antecedents since prior to the instant case. It is
submitted even from the allegations levelled in the F.I.R., the
petitioner is uncle of Arju Khan against whom the specific
allegations have been made. The sequence of events disclosed in
the FIR cast a serious doubt upon the entire prosecution case as
the victim is said to have gone from one place to another with
Arju Khan whereafter she has specifically alleged that she was



raped. The FIR has been lodged after delay of one month.

The petitioner's counsel submits that he has falsely been implicated in the instant case only to mount pressure with oblique motive.

Learned APP for the State opposed the prayer for bail by submitting that the allegation is of rape.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner before the court below, named above, within four (04) weeks from today, 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 **ACJM-XI, Arrah at Bhojpur**, in connection with **Jagdishpur P.S. Case No. 181 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date



and if he fails to do so on two consecutive dates, his bail bond will
be liable to be cancelled.

(Madhuresh Prasad, J)

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