

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71296 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- MAHILA PS District- Gaya

ANIL KUMAR Son of Shankar Prasad Resident of Village- Daulatpur, Tola
Dhira Bigha, Post- Salempur, Police Station- Alipur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehends arrest in connection with **Mahila
(Gaya) P.S. Case no. 13 of 2019** instituted for the offence under
Section(s) 376 and 420 of the Indian Penal Code.

It is submitted by the petitioner's counsel that even from
the deposition of the informant, which has been recorded U/s
164 Cr. P.C., the offence under Section 376 of the Indian Penal
Code could not be made out as she admits to have cohabited
with the petitioner for at least three years. Petitioner's counsel
submits that it is a case of false implication on extraneous
consideration.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid facts, prayer of the petitioner



for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, 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 **Sub Divisional Judicial Magistrate, Gaya** in connection with **Mahila (Gaya) P.S. Case no. 13 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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