

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76017 of 2019

Arising Out of PS. Case No.-180 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

MD. BABLU @ BABLU @ ABDUL KARIM Son of Md. Kayum @ Abdul
Qaiyoom Resident of Mohalla - Hossainpur, P.S.- Mojahidpur, Distt -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-11-2019 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to correct the alias name of the petitioner which has been wrongly inserted in the cause title.

Petitioner apprehend his arrest in a case registered for the offence punishable under Section 376 of the Indian Penal Code.

Informant victim girl has stated in her written complaint that brother of petitioner established physical relation with her in the year 2018 on promise of marriage. However,



subsequently he denied to marry with the Informant.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case being the brother of accused Dablu. Petitioner is not named in the FIR. The statement of the victim girl was recorded under Section 164 of the Cr.P.C in which she has supported the FIR version and allegation has been made against Dablu and nothing is alleged against petitioner. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Mojahidpur P.S. Case No. 180 of 2019**, subject to the conditions laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the



court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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