

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77793 of 2018

Arising Out of PS. Case No.-187 Year-2018 Thana- TATARPUR District- Bhagalpur

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1. Md. Ali @ Md. Ali Khan son of Md. Faku @ Noor
 2. Md. Faku @ Md. Noor @ Noor Hasan son of Late Md. Suleman. Both resident of Mohalla - Shabaz Nagar, Police Station - Mojahidpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Sri Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-01-2019 This application, for grant of anticipatory bail, arises out of Tatarpur P.S. Case No. 187/18, disclosing offences under Section 376 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Allegation against the petitioner is that he made physical relationship with the informant, promising marriage but later on refused to marriage and also demanded dowry.

Submission of learned counsel for the petitioners is that he has falsely been made accused in this case and the fact is that father of informant had taken loan from the father of petitioner and when he demanded, he came out with this false case. Moreover, the informant is major aged about 23 years and appears to be a consenting party.



Heard learned A.P.P. also.

Having heard both sides, considering the submission, as above, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Six Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -VII, Bhagalpur, in connection with Tatarpur P.S. Case No. 187/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is further subject to the condition that they will cooperate in investigation of the case and will appear as and when required by the police, except on showing genuine reasons.

(Vinod Kumar Sinha, J)

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