

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78863 of 2018

Arising Out of PS. Case No.-218 Year-2016 Thana- BIRPUR District- Supaul

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Anwar Alam Son of Noor Islam, Resident of Village - Brahmpur, P.S. -
Birpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Sri Ram Naresh Ray (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Birpur P.S. Case No. 218 of 2016 registered
for the offences punishable under Sections 376, 506 of the
Indian Penal Code.

Informant has alleged in her written complaint that
petitioner had committed rape with her when she was going to
take bath in the river by dragging her in the field and thereafter
petitioner promised that he will solemnized marriage with her
and thereafter established physical relation with her many a
times and when she became pregnant he refused to marry her.
However, after institution of this case marriage between
informant and petitioner has been solemnized and same has



been taken note of by the learned Sessions Judge also. Petitioner is in custody since 27.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Birpur (Supaul), in connection with Birpur P.S. Case No. 218 of 2016, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, his 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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