

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83447 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- BITHAN BAZAR District- Samastipur

SAJID @ MD. SAJID ALI Son of Wahid Resident of Village - Ujan, P.S.-
Bithan, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 29-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bithan P.S. Case No. 105 of 2019, disclosing the offence under Sections 376, 511 of the Indian Penal Code.

For an occurrence said to have taken place on 27.10.2019, the FIR was registered on 02.11.2019. It is alleged in the FIR that the petitioner attempted to commit rape when the informant was sleeping with her husband in the night.

Learned counsel appearing on behalf of the petitioner has submitted that the case of the prosecution, as disclosed in the FIR, is highly improbable.

Be that as it may, considering the nature of allegation and delay in registration of the FIR, a case for grant of



anticipatory bail is made out. This application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned ACJM, Rosera, Samastipur in Bithan P.S. Case No. 105 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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