

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19701 of 2021

Arising Out of PS. Case No.-92 Year-2020 Thana- JALALGARH District- Purnia

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ARSHAD MUMTAZ SON OF MD MUMTAZ RESIDENT OF VILLAGE-
KADWA, P.S- KASBA, DIST- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan, Advocate.

For the Opposite Party/s : Mr.APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 29-11-2021 Let the defects, if any, be removed within four weeks
of the complete start of the physical Court.

Heard the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 376, 504 and 506/34 of the Indian Penal Code.

The informant who is aged about 23 years alleges that on the pretext of marriage the petitioner was in physical relation with her since long.

Submission is that since the victim was major and was aware of the consequences of the act, it is evident that she was in consensual relation.

Considering the submission aforesaid, let the petitioner, above named, in the event of his arrest or surrender



before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Jalalgarh P.S. Case No. 92 of 2020, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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