

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22079 of 2021**

Arising Out of PS. Case No.-44 Year-2016 Thana- PALASI District- Araria

=====

Tanbir @ Tanbir Alam Son Of Tohid @ Md. Tahir Hussain R/O - Dahgama,  
P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Anamul Haque

For the Opposite Party/s : Mr. Uday Pratap Singh A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      16-07-2021                      Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Palasi P.S. Case No. 44 of 2016, G.R. No. 750 of 2016, registered for the offence under Sections 366, 376, 541/34 of the Indian Penal Code.

As per the prosecution case, co-accused Md. Junaid Alam alongwith three other FIR named accused persons forcibly took the victim (informant) in a field and attempted to commit rape on her, however on cry of the victim, some villagers assembled there and caught one of them namely Md. Junaid Alam and others managed to escape from there.

It is submitted on behalf of the petitioner that petitioner has been named in this case on the basis of confessional statement of co-accused Md. Jaunaid Alam, who has already been granted bail by a coordinate Bench of this Court, vide order dated 17.09.2016 passed in Cr.Misc. No.



27586 of 2016 (Annexure – 3 to the bail petition). Petitioner claims clean antecedent and he is in custody since 11.01.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on 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. 1<sup>st</sup>, Araria in connection with Palasi P.S. Case No. 44 of 2020, G.R. No. 750 of 2016, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

**(Prabhat Kumar Singh, J.)**

anay

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

