

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35611 of 2020

Arising Out of PS. Case No.-9 Year-2019 Thana- ANDHRATHARHI District- Madhubani

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HAMID @ GUDDU @ MD. HAMID S/o Hidayatullah Resident of Village-
Jamaila, P.O.-Madna, P.S.-Andhratarhi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Abu Haider

For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 28-10-2021 Supplementary affidavit has been filed on behalf

of the petitioner today in court. Let it be kept on record.

Heard Sri Md. Abu Haider, learned counsel for
the petitioner and learned counsel for the informant, Sri
Jitendra Kumar Bharti and Sri Satyendra Nr. Singh, APP for
the State.

Petitioner is seeking anticipatory bail in
Andhratarhi P.S. Case no. 09 of 2019 registered for the
offence punishable under section 376 of the Indian Penal
Code.

Learned counsel for the petitioner at the outset
submits that petitioner is person with clean antecedent.
Learned counsel for the petitioner further submits that the



present FIR was instituted by the informant only with a view to force the petitioner to marry her by falsely alleging that she was raped by the petitioner. Learned counsel submits that police after investigation found the case true under section 420 IPC read with 3/4 of the Dowry Prohibition Act, learned counsel for the petitioner has also filed supplementary affidavit today in court, bringing the said fact on record that charge sheet has been submitted under section 420 IPC read with section 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the informant fairly submits that police has not found the case to be true under section 376 IPC but has filed charge sheet dated 30.5.2019 under section 420 IPC read with section 3 and 4 of the Dowry Prohibition Act, as is evident from the supplementary affidavit.

Learned APP for the State also submits that after investigation, charge sheet has been submitted under the aforesaid sections.

Considering the facts in its totality, in the event of arrest/surrender within ten weeks from today, the petitioner



is directed to be released on anticipatory bail on furnishing
bail bonds of Rs 5,000/- (five thousand) with two sureties of
the like amount each to the satisfaction of the Chief Judicial
Magistrate, Jhanjharpur, Madhubani in Andhratarhi P.S.
Case no. 09 of 2019 subject to the condition under section
438(2) Cr.P.C.

(Satyavrat Verma, J)

s.hassan/-

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