

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4644 of 2022

Arising Out of PS. Case No.-160 Year-2021 Thana- ISHAKCHAK District- Bhagalpur

MD. MAZHARUDDIN KHAN @ MONA S/o Fakhruddin Khan R/o
Mohalla- Idgah Lane, Brahapura, P.S.- Ishakchak, District- Bhagalpur, at
Present working at Y-1-Division, 58IMSD, Vashistha Bihar, Gauhati (Assam)
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-04-2022 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Ishakchak P.S. Case No. 160/2021 registered for the
offences punishable under Sections 376 of the Indian Penal
Code.

It has been submitted by learned counsel for the
petitioner that this case is squarely covered by the judgment of
Supreme Court passed in the case of *Sonu @ Subhash Kumar*
Vs. State of Uttar Pradesh [2021 (3) BLJ SC 171]. Learned
counsel for the petitioner further submits that from reading of



the F.I.R., it is evident that no case is made out against the petitioner. He has also submitted that petitioner is serving as an army personnel.

Considering the facts and circumstances of the case, the present anticipatory bail application is allowed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, XIV, Bhagalpur, in connection with Ishakchak P.S. Case No. 160/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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