

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28508 of 2021**

Arising Out of PS. Case No.-14 Year-2021 Thana- MAHILA P.S. District- Araria

MD. GAIYYUR @ MD. GAIYAYUR S/O MD. SAFUR ALAM @
SHAKUR R/o village- Haldiya, P.S.- Simraha, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mrs. Veena Rani Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 02-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 376(D), 341, 323, 307 and 34 of the
Indian Penal Code.

The prosecution allegation, in short, is that the
accused person established physical relation with the informant
on the assurance of the marriage and later denied and recorded
video of obscene act.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The statement of the victim has been recorded under Section 164 Cr.P.C. The same is Annexure-3 to the present application. In her statement, there is no allegation made by the victim against this petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria (Mahila) P.S. Case No. 14/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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