

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28623 of 2021

Arising Out of PS. Case No.-171 Year-2019 Thana- AMAUR District- Purnia

ABU HURERA @ TASHNIM S/o- Touhid @ Md. Tohid Resident of Village-
Simalbadi, P.S.- Amour, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruhnaz D/o- Shahid, W/o- Abu Hurera Resident of Village- Simalbadi,
Panchayat Talbadi, P.S.- Amour, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 31-03-2022 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 Amour P.S. Case No. 171 of 2019 registered for the
offences punishable under Sections 341/323/376/493/504/
506/34 of the Indian Penal Code. Chargesheet was submitted
under Section 451/354/493 of the Indian Penal Code against the
petitioner.

The police has not found any evidence of rape. The
medical evidence also does not support the evidence of rape.
Moreover, learned counsel for the petitioner submits that there



has been a compromise between the parties.

Considering the aforesaid circumstances, 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 Chief Judicial Magistrate, Purnea, in connection with Amour P.S. Case No. 171 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

It is directed that at the time of accepting bail bond, the Court below shall verify from the F.I.R. as to whether the parties have entered into a compromise. If the informant supports that factum of compromise, the bail bond of the petitioner shall be accepted and if the factum of compromise is denied by the informant then the petitioner shall be taken into custody.

(Sandeep Kumar, J)

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