

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30880 of 2023

Arising Out of PS. Case No.-278 Year-2022 Thana- AMAUR District- Purnia

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Sargub @ Sargub Alam S/O Idris R/O Kashibari, P.S- Amour, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-07-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 376, 379, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner committed rape upon the informant on the pretext of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner and the informant have got married, a copy of Nikahnama is enclosed as Annexure-2 to the bail application. He further submits that the present anticipatory bail application



is affidavited by the Md. Akhtar Hussain, who is father-in-law of the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Amour P.S. Case No. 278 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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