

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61029 of 2022

Arising Out of PS. Case No.-38 Year-2022 Thana- MAHILA PS District- Darbhanga

GHULAM MOGHNI S/o Ghulam Jilani @ Ghulam Mohammad Jilani R/o
Village- Kakodha, P.S.- Sakatpur, Distt- Darabhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2023 Heard the parties.

Learned counsel for the petitioner filed a supplementary affidavit in Court. Let the same be accepted and kept on record.

The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 376, 313, 506/34 of the Indian Penal Code.

The prosecution case in short is that, co-accused Rustam assured to marry the informant and for three months, he made physical relationship with her. When the informant and her parents went for panchayat, then co-accused Rustam sent Rs.8000/- to the mother of informant and Rs.4000/- to the informant by the petitioner. It is alleged that the petitioner threatened the informant to take the name of another person, otherwise her whole family members would be killed.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He further submits that in the impugned order it is wrongly stated that the petitioner has committed rape with the victim. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her 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 Darbhanga (Benipur) Mahila P.S. Case No.38 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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