

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74443 of 2022

Arising Out of PS. Case No.-45 Year-2022 Thana- MAHILA P.S BAGHA District- West
Champaran

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MOHAMMAD ALI S/O MD. MAJEED Resident of Village- Jogiya, P.S.-
Ram Nagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishal Vikram Rana, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner submits that this is
the second attempt of the petitioner to seek anticipatory bail as
earlier by order dated 19.09.2022 in Cr. Misc. No. 49819 of
2022, the anticipatory bail application of the petitioner was
permitted to be withdrawn.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 376, 341,
323, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
second anticipatory bail application has been filed in view of the
same circumstances. It is next submitted that allegation against



the petitioner was of establishing physical relation with the informant on the pretext of marriage. It is further submitted that the petitioner and the informant have married and the informant is even pregnant now a compromise petition also has been filed before the learned trial court and as such the informant is not interested in pursuing the present case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bagaha Mahila P.S. Case No. 45 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned trial before accepting the bail bonds of the petitioner shall call the informant through her advocate in order to verify whether what has been submitted by the learned counsel for the petitioner is correct or not and, in the



event, if the informant opposes the grant of anticipatory bail application by this Court, the learned trial court shall not accept the bail bonds of the petitioner and the present order shall not be given effect.

(Satyavrat Verma, J)

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