

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18310 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- DAGARUA District- Purnia

Md. Rahgir @ Md. Raghib S/o Md. Rustam @ Rustam Resident of
Chandbhati, ward no. 13, Panchayat Harkhaili, P.S. - Dagarua, Dist. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2024 Heard Mr. Md. Fazle Karim, learned counsel for the
petitioner and Mr. Dilip Kumar No. 1, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Dagarua P.S. Case No. 182 of 2023, F.I.R. dated 05.06.2023 registered for the offences punishable under Sections 341, 323, 376, 504, 506 and 34 of the Indian Penal Code.

3. Allegation against the petitioner is that the petitioner has established physical relation with the informant/complainant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case and the informant/complainant is the sister-in-law of the petitioner and after the death of the



brother of the petitioner the complainant has alleged that the petitioner has established relation with the informant/complainant. He further submits that after the filing of the present complaint petition, both the parties have performed the marriage on 26.06.2023 and they have been living together as a husband and wife.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Dagarua P.S. Case No. 182 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(i) One of the bailors should be the complainant namely, Armeena Khatoon.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(iii) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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