

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79875 of 2023

Arising Out of PS. Case No.-188 Year-2023 Thana- AMDABAD District- Katihar

Umar Ali @ Umaar Son of Ataur Rahman R/O Village- Baidyanathpur, P.S.-
Amdabad, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Krishna, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-05-2024 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Amdabad P.S.Case No.188 of 2023, registered for the offences
punishable under Sections 341, 342, 376, 504 and 506/34 of the
Indian Penal Code .

3. As per the allegation made in the FIR, petitioner is
the father of co-accused Anjarul Haque, who, on the pretext of
getting married with the informant, made physical relation. The
informant gave birth to a child but when the father of the
informant went to the house of the petitioner for solution, he
was abused and attacked with sickle.

4. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner has been falsely implicated in the case. Petitioner is the full brother of the father of the informant. As such, the informant is the niece of the petitioner and she has not complained against the petitioner.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that the informant is the niece of the petitioner and she has not made specific allegation any time before lodging of the FIR against the petitioner, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Subhash Chandra Nishad, J.M. Ist Class, Katihar/concerned court, in connection with Amdabad P.S.Case No.188 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in



paragraph No.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

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