

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23764 of 2015

Arising Out of PS.Case No. -96 Year- 2014 Thana -HALSI District- LAKHISARAI

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1. Abinash Kumar @ Avinash Kumar Son of Kameshwar Yadav Resident
of village - Sandh Maph, Police Station - Halsi, Distt. - Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Smt. Sharda Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-07-2015

Heard learned counsels for the petitioner

and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 366(A), 354(A), 354(B), 354(C), 354(D), 323, 376/511 of the Indian Penal Code.

The prosecution case is that the petitioner made an attempt to establish forceful physical relationship and on alarm being raised the petitioner escaped from the scene. It is also alleged that victim was being taken away by the petitioner.

It is submitted by learned counsel for the petitioner that on 09.02.2014 the father of the victim filed a petition before Officer-in-charge, Mahila P.S, Patna that the victim after getting angry with the family members came to the police station whereas the victim also filed a petition on the

same day to the effect that she after being hot arguments with her mother came to Patna by train and on the railway station she mate with the petitioner being co-villager and came to the police station and prayed before the Officer-in-charge to allow her to go to her parents house. Subsequently the victim filed an application before learned Court below on 25.04.2015 that under some misconception the present case has been lodged. All the applications have been brought on record as Annexures- 2 to 4. It is further submitted that for the initial occurrence of 07.02.2014 the First Information Report was registered on 18.08.2014 though complaint was filed on 26.04.2014.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the inconsistencies in the statement of the informant and the victim and the delayed lodging of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Lakhisarai in connection with Halsi P.S. Case No. 96 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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