

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35552 of 2015

Arising Out of PS.Case No. -15 Year- 2015 Thana -MAHILA P.S. District- BHAGALPUR

1. Md. Iftekhar S/o Md Abul Resident of Village- Badi Naki, P.s
Sanokhar, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-08-2015

Heard learned counsels for the petitioner and
the State.

Petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections 376,
457, 506/511 of the Indian Penal Code and Section 8 of the
Protection of Children From Sexual Offences Act.

It is alleged that on 04.03.2015 the
informant was sleeping with her sister in her house when this
petitioner entered into the house and outraged the modesty of
the informant. In the morning the informant narrated about the
occurrence to the brother and sister-in-law then petitioner was
called when he denied the accusation.

It is submitted by learned counsel for the
petitioner that even assuming the accusation, no offence under
Section 376/511 of the Indian Penal Code and Section 8 of the

Protection of Children From Sexual Offences Act are made out. Moreover for the occurrence of 04.03.2015 the First Information Report was registered on 07.03.2015.

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

Considering 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 Chief Judicial Magistrate, Bhagalpur in connection with Bhagalpur (Mahila) P.S. Case No. 15 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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