

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 45889 of 2014

Arising Out of PS.Case No. -94 Year- 2014 Thana -CHHATAPUR District- SUPAUL

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Tetar Ram S/o Rasiklal Ram resident of village - Lalganj Tilathi, P.S.
Chhatapur, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 07-05-2015

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in Chhatapur
P.S. Case No. 94 of 2014 dated 11.04.2014 instituted under
Sections 376/315/323/504/34 of the Indian Penal Code and 4
of The Protection of Children from Sexual Offences Act, 2012.

The allegation against the petitioner is that he
along with four other persons had tried to persuade the
informant to falsely implicate a co-villager with the allegation
of rape.

Learned counsel for the petitioner submits that
he is a co-villager and has nothing to do with the entire
allegation except that he was also one of the persons who had
asked the complainant to falsely implicate a person and
general and omnibus assault. It is submitted that besides
having clean antecedent even the complainant in her

statement before the Court under Section 164 of the Code of Criminal Procedure, 1973 has neither named nor alleged anything against the petitioner. It is submitted that initially after lodging of the case, the petitioner was on police bail and after investigation chargesheet was submitted under bailable sections. However, the Court differing from the said has taken cognizance under non bailable sections also and thus the petitioner has moved the Court for anticipatory bail.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Saharsa in Chhatapur P.S. Case No. 94 of 2014, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

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