

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 5384 of 2016

Arising Out of PS.Case No. -102 Year- 2015 Thana -KEOTI District- DARBHANGA

=====

Md. Nanhe Son of Md. Heera, resident of Village- Jalwara, Police Station-
Keoti, District- Darbhanga. Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner : Mr. Dharmendra Jha, Advocate.

For the Opposite Party : Mr Girish Chandra Jha

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 08-03-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises
out of Keoti P.S. Case No. 102 of 2015, disclosing offences under
sections, 341, 323, 376, 420, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that no
case under section 376 of the Indian Penal Code has been made
out, inasmuch as there is no allegation that the petitioner ever
established physical relationship forcibly. Learned counsel for the
petitioner has also referred to the statement of victim recorded
under section 164 of the Cr.P.C. and contends that the allegation
in the First Information Report is falsified.

Learned counsel for the informant has vehemently
opposed the prayer for bail.

Considering the facts and circumstances of the case, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in connection with Keoti P.S. Case No. 102/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajiv/-

U			
---	--	--	--