

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6018 of 2016

Arising Out of PS.Case No. -132 Year- 2015 Thana -BATHNAHA District- SITAMARHI

1. Upendra Singh S/o Late Khelawan Singh. R/o village- Rupauli, P.S.- Bathnaha, District- Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Renuka Ratnakar (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH  
ORAL ORDER

2 23-02-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bathnaha Police Station Case No. 132 of 2015, disclosing offences under Section 376 of the Indian Penal Code.

Learned Counsel for the petitioner submits that the allegation, as contained in the complaint petition, which is the basis of registration of the present First Information Report, is highly improbable. He further submits that on the basis of the allegation, it cannot be said that the petitioner used any force or induced the informant to establish physical relationship.

Considering the nature of allegation, this application is allowed.

Let the petitioner, Upendra Singh, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Sitamarhi, in connection with Bathnaha Police Station Case No. 132 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the same 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 bond shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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