

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7779 of 2016

Arising Out of PS.Case No. -215 Year- 2015 Thana -AJAMNAGAR District- KATIHAR

1. Md. Sohel @ Md. Sohail (Sohel) Son of Late Nooruddin resident of village - Nimoul, Police Station - Azamnagar, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. Rajendra Pd.Nut(APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory arises out of Azamnagar Police Station Case No. 215 of 2015, disclosing offences under Sections 376,315, 120B of the Indian Penal Code and Section 4 of the POCSO Act.

Learned counsel for the petitioner, referring to the First Information Report, submits that lodging of the First Information Report, in the facts and circumstances of the case is nothing but abuse of the process of law. Denying the allegation as contained in the First Information Report, it has been submitted that the petitioner has been implicated for ulterior purpose. He further submits that considering the nature of the allegation, there is no chance of petitioner's tampering with the evidence or fleeing from the course of justice.

In view of the submissions as above, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below 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 Sri R.P.Singh, learned Special Judge, Katihar in connection with Azamnagar P. S. Case No. 215 of 2015, subject to the conditions as 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 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)

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