

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7802 of 2016

Arising Out of PS.Case No. -53 Year- 2015 Thana -MAHILA PS District- KATIHAR

1. Md. Bijju Son of Md. Kalwa resident of Village Fuhagaon Kachna,
Police Station Barsoi (Kacha O.P.), Distt- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda

For the Opposite Party/s : Mr. Asha Kumari(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
Mahila Police Station Case No. 53 of 2015, disclosing offences
under Sections 376,457 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that for an
occurrence alleged to have taken place on 18.10.2015, the First
Information Report came to be instituted on 27.10.2015 which
raises serious doubt over the prosecution version. He submits that
there is no explanation in the First Information Report for such
delay in lodging of the First Information Report.

Considering the aforesaid submissions, 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 the learned Chief Judicial Magistrate, Katihar in Mahila P. S. Case No. 53 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)

ArunKumar/-

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