

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23631 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -MAHILA PS District- DARBHANGA

1. Swaran Pratap Singh @ Babu Sahab son of Late Rabindra Singh resident of Village 7 P.O.- Ojhaul , P.S. - Bahadurpur, District- Darbhanga, presently residing at Mohalla- Bakarganj, Lahariasarai, District- Dharbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Narayansingh

For the Opposite Party/s : Mrs. Anusaiya Jaiswal (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

9 17-03-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Mahila (Bahadurpur) P.S. Case No. 13 of 2015, disclosing offences under Sections 147,148,149,354,354B and 354C of the Indian Penal Code.

Learned counsel for the petitioner submits that for the occurrence said to have taken place on 22.03.2015, the First Information Report was registered on 01.04.2015. Referring to the First Information Report, learned counsel for the petitioner submits that though the written report of the informant mentions 22.03.2015 as the date of information given to the Officer In-charge of the Police Station, the victim in her statement before the Police under Section 161 of the Code of Criminal Procedure, has stated that she had

informed the police on 01.04.2015.

From the First Information Report, I do not find any plausible explanation for delay in lodging of the First information Report.

Considering the facts and circumstances of the case, 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 Sub-Divisional Judicial Magistrate, Darbhanga in Mahila (Bahadurpur) P.S. Case No. 13 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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