

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21552 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

Prabhu Rai @ Prabhu Yadav son of Jhawar Yadav, resident of village-
Shankar Sharaiya Parsauna, P.S.- Turkauliya, District- East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Turkauliya P.S. Case No. 90 of 2016, disclosing offence
under Section 376/511 of the Indian Penal Code.

The allegation against the petitioner is that he
attempted to commit rape on the informant. Allegedly, after she
raised alarm, the villagers assembled and they assaulted the
petitioner. The family members of the petitioner, were later
called to the place of occurrence with whom, the petitioner,
thereafter, left for his home according to the First Information
Report.



Learned counsel for the petitioner has submitted that lodging of the First Information Report is revengeful. He submits that on 20.02.2016, two she-buffalos of the informant were found destroying the agricultural produce in the petitioner's field. He had caught two she-buffalos and in retaliation, the present F.I.R. has been lodged. It has been stated in paragraph-3 of the application that the petitioner has no criminal antecedent.

Learned counsel for the petitioner has submitted that the petitioner shall not flee from the course of investigation and make himself available to the police or before the court below as and when required.

Considering the above submission, this application is allowed. Let the petitioner, above-named, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkauliya P.S. Case No. 90 of 2016, 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 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
bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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