

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32258 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -EAST COLONY District- MUNGER

1. Ajay Kumar Chaurasia Son of Durga@Darogi Mandal Resident of Village: Mungraura, P.S .East Colony District Munger.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.  
Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH  
ORAL ORDER

2 26-08-2016 Heard learned Senior Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of East Colony Police Station Case No. 31 of 2016, disclosing offences under Sections 376, 494, 420, 323, 342, 504, 506/34 of the Indian Penal Code.

Learned Senior Counsel appearing on behalf of the petitioner, referring to the First Information Report, has submitted that no offence under Section 376 of the Indian Penal Code is made out even if the allegations made in the First Information Report are treated to be true inasmuch as there is no allegation of establishing physical relationship with inducement or physical force against her will.

Considering the above submission, this application is allowed.

Let the petitioner, Ajay Kumar Chaurasia, 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 Shri Sonelal Rajak, Judicial Magistrate, 1st Class, Munger, in connection with East Colony Police Station Case No. 31 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.)**

Prabhakar Anand/-

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