

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36202 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

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Munif Kumar, S/o Dukhit Das, R/o village- Bishanpur, P.S. Kotwa,
District East Champaran, Motihari

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-09-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 363, 366(A), 372, 387, 120(B)/34 of the Indian Penal Code and Section 16 of Protection of Children from Sexual Offences Act, 2012, registered in connection with Kotwa (Bhopatpur) P.S. Case No. 45 of 2015.

3. It is submitted that the petitioner has been falsely implicated and similarly situated co-accused Dukhit Das has been granted anticipatory bail by order dated 18.04.2016 passed in Criminal Miscellaneous No. 14083 of 2016. It appears from the order dated 18.04.2016 that on supervision of the case, the Superintendent of Police, Motihari, found the case to be true only against the accused Raju Kumar and not against other accused persons.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the learned court below within six weeks from

the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Kotwa (Bhopatpur) P.S. Case No. 45 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iii) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Md. Ibrarul/Chandran

(Vikash Jain, J)

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