

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32243 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -BIHPUR District- BHAGALPUR

=====

1. Md. Firoj, Son of Md. Yunush, Resident of village-
Mathurapur, P.S. Bihpur, (Bhawanipur), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ataur Rahman, APP

=====

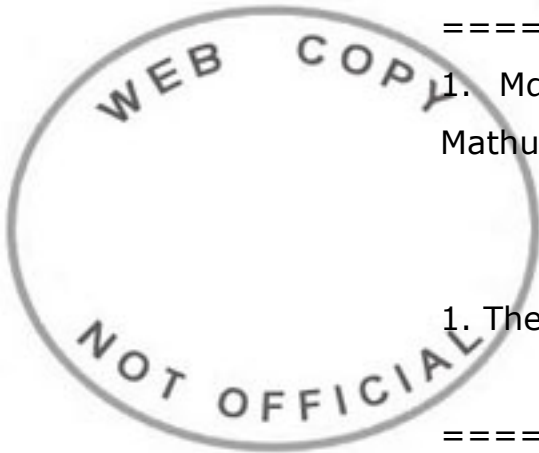
**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 26-08-2016 Heard the parties.

This application, for grant of anticipatory bail,
arises out of Bihpur (Bhawanipur) P.S. Case No. 49 of
2015, disclosing offences under Sections 457, 376, 511,
354(B) and 323 of the Indian Penal Code.

Learned counsel for the petitioner has
submitted that in course of investigation, the petitioner
had availed the privilege under Section 41 of the Code of
Criminal Procedure and there is no allegation that he
ever breached the conditions therein, in course of
investigation. He has further submitted that the police,



upon completion of investigation, have submitted charge-sheet under Sections 354 and 452 of the Indian Penal Code and have not found the case under Section 376 of the Indian Penal Code, to be true.

Considering the aforesaid 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 Additional Chief Judicial Magistrate, Naugachia, Bhagalpur**, in connection with **Bihpur (Bhawanipur) P.S. Case No. 49 of 2015**, 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, above named, 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.)

Praveen-II/-

U		T	
---	--	---	--