

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42502 of 2016

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1. Bhonu Pandit, Son of Sri Karu Pandit, Resident of
Mohalla- Samachak, P.S. Barbiga, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abinash Kumar, Adv.

For the Opposite Party/s : Mr. Satyendra Nr. Singh, APP

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

ORAL ORDER

2 17-10-2016

Heard the parties.

This application, for grant of anticipatory bail, arises out of Barbiga P.S. Case No. 348 of 2014, disclosing offences under Sections 363 and 366(A) of the Indian Penal Code and Section 4/6 of POSCO Act.

Learned counsel, appearing on behalf of the petitioner, has straightway taken me to the statement of the victim, recorded under Section 164 of the Code of Criminal Procedure, to submit that no offence, under Section 366(A) of the Indian Penal Code or under the provisions of the POCSO Act, is made out against the

petitioner and the First Information Report appears to have been registered on the basis of misconception.

I find substance in the submission made on behalf of the petitioner.

This application is, accordingly, 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 1st Additional District Judge, Sheikhpura**, in connection with **Barbiga P.S. Case No. 348 of 2014**, 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.)

Praveen-II/-c

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