

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42216 of 2016

Arising Out of PS.Case No. -199 Year- 2016 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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Mahesh Sah, son of Bishun Sah, resident of Village - Majhauri, P.S.
Bidupur, District - Vaishali. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate
For the Informant : Mr. Satya Prakash Singh, Advocate
For the Opposite Party/s : Mr. Smt. Suman Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 18-10-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Bidupur P.S. Case No. 199 of 2016, disclosing offences under
Sections 376, 420 and 120B of the Indian Penal Code.

It is alleged in the First Information Report that the
petitioner and other co-accused persons attempted to force the
informant into immoral trafficking by giving her false assurances.

Learned counsel appearing on behalf of the petitioner
has submitted that the petitioner is an Army personnel and since
his family members were being harassed, he had filed a complaint
case prior to lodging of the present First Information Report
against the informant's family members. He has submitted that
lodging of the First Information Report is out and out malicious.

Considering the submissions as above, 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 199 of 2016, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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