

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42572 of 2016

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Shankar Chauhan, Son of Siya Chauhan, Resident of Village - Simama, P.S.
- Wena, District - Nalanda

.... Petitioner

Versus

1. The State of Bihar
2. Kalawati Devi, Wife of Late Ramdhin Chauhan, Resident of Village -
Simama, P.S. - Wena, District - Nalanda

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rajeev Kumar, Advocate

For the Opposite Parties : Smt. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 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 Biharsharif at Nalanda Mahila P.S. Case No. 162 of 2015,
disclosing offences under Sections 376 and 511 of the Indian
Penal Code and Sections 4 and 8 of the Protection of Children
from Sexual Offences Act.

Learned counsel for the petitioner has submitted that
the petitioner and the informant have common ancestors and the
allegation that the petitioner attempted to commit rape on the
daughter of the informant is malicious. He has submitted that
because of some property dispute between them, the petitioner has
been maliciously implicated. It has also been submitted that delay
of seven days in registration of the F.I.R. also creates doubt over

correctness of the allegation made therein.

Considering the above submissions, 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 1st Additional Sessions Judge, Nalanda at Bihar Sharif in connection with Bihar Sharif at Nalanda Mahila P.S. Case No. 162 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 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 below on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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