

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44757 of 2016

Arising Out of PS.Case No. -75 Year- 2016 Thana -BARHARA District- PURNIA

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1. Shyam Mandal son of Late Baiju Mandal Resident of Village- Bathnaha,
P.S.- Barhara, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : . Sri Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 28-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Barhara (Raghubansh Nagar) P. S. Case No. 75 of 2016 giving rise to Special Case No. 27 of 2016, disclosing offences under Sections 376 and 511 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that allegation of making attempt to commit rape on the victim is motivated and this case has been instituted for oblique purpose. He has further submitted that delay of three days in lodging of the First Information Report itself makes the case of the prosecution doubtful. He further contends that in any event, the petitioner is not likely to flee from the course of investigation or trial, if granted anticipatory bail.

Considering the above, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge-cum-Special Judge, Purnea in Barhara (Raghubansh Nagar) P. S. Case No. 75 of 2016(Special Case No. 27 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 Court/police, 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)

ArunKumar/-c

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