

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2454 of 2016

Arising Out of PS.Case No. -52 Year- 2015 Thana -MAHILA PS District- GOPALGANJ

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Pankaj Kumar Pandey Son of Shri Prabhakar Pandey, resident of village -
Mirganj Chhath Ghat Pokhara. At Present residing at Rajendra Chowk,
Mirganj Ward No. 3, P.S. Mirganj, District - Gopalganj

.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nityanand Mishra, Advocate

For the Opposite Party/s : Mr. Yogendra Kr. Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 19-01-2016 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail
arises out of Mahila Thana P.S. Case no. 52 of 2015, disclosing
offences under sections 493, 376, 341, 323 and 406 of the Indian
Penal Code.

Learned counsel for the petitioner appears to be
right in his submission that physical relationship, as alleged in the
first information report, if any, established by the petitioner with
the informant, cannot be said to be forcible rather consensual in
nature.

In view of the submission, 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 the learned Sub-divisional Judicial Magistrate, Gopalganj in connection with Mahila Thana P.S. Case No. 52 of 2015, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

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)

Amin/-

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