

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57003 of 2015

Arising Out of PS.Case No. -146 Year- 2014 Thana -KAKO District- JEHANABAD

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1. Banti Kumar son of Ram Perwesh Paswan Resident of Village-
Kajidaulatpur, P.s kako, District Jehanabad. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh

For the Opposite Party/s : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 29-02-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Kako Police Station Case No. 146 of 2014,
disclosing offences under Sections 366(A)/34 of the Indian
Penal Code.

The petitioner was granted interim protection by
order, dated 17.12.2015, passed in this case against any
coercive action. There is nothing on record to show that the
petitioner ever misused the said privilege during the
pendency of the present application. Secondly, it has been
submitted on behalf of the petitioner that there is no
plausible explanation for delay of nearly one and a half
months in lodging the First Information Report inasmuch as
the occurrence is said to have taken place on 27.07.2014;
whereas, the First Information Report came to be instituted
on 02.09.2014. It has also been submitted that the

petitioner has been implicated merely on the basis of suspicion.

I find substance in the submission so advanced on behalf of the petitioner.

This application is accordingly allowed.

Let the petitioner, Banti Kumar, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Jehanabad, in connection with Kako Police Station Case No. 146 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.)

Prabhakar Anand/-

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