

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40624 of 2016

Arising Out of PS.Case No. -166 Year- 2016 Thana -BARARI District- KATIHAR

1. Umesh Malakar Son of Late Ramadhin Malakar resident of village -
Majdiya, P.S. - Kursela, District - Katihar.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Barari P.S. Case No. 166 of 2016, disclosing offences
under Sections 363, 365 and 120(B)/34 of the Indian Penal
Code.

Learned counsel, appearing on behalf of the petitioner,
has submitted that the petitioner came to be named in the F.I.R.,
merely on the basis of suspicion. He has stated that the
statement of the victim girl has been recorded under Section
164 of the Cr.P.C., wherein though she has taken the names of
other co-accused persons, but has not taken the name of this
petitioner.

Considering the above submission, 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 Additional Chief Judicial Magistrate, Katihar, in connection with Barari P.S. Case No. 166 of 2016, 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)

ajaypd./-

U		T	
---	--	---	--