

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3535 of 2016

Arising Out of PS.Case No. -162 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

1. Rohit Kumar S/o Janardan Mahto Resident of Village- Manikpur, P.S
Suryagarha(Manikpur)District Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Dr. Rabindra Kr.(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 08-04-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 376,
120(B), 504 and Section 34 of the Indian Penal Code.

Diary in this case was called for earlier which has since
been received.

Learned counsel for the petitioner submits that for the same
occurrence, two cases were lodged against the petitioner. The first
case bearing Suryagarha P.S. Case No. 143 of 2015 was lodged by
the mother of the victim girl in which the allegation under Section
376 of the Indian Penal Code was found to be untrue and it was
found merely to be one of eve-teasing. In the aforementioned case.
the petitioner has been granted the benefit of anticipatory bail. So
far as the second case i.e. Suryagarha P.S. Case No. 162 of 2015 is

concerned, the said has been lodged on the basis of a complainant filed by the victim girl which was sent for institution under Section 156 Cr. P.C. It is the case in which the petitioner is apprehending his arrest at the moment.

Learned counsel for the petitioner submits that the case against the petitioner is wholly a figment of imagination by the informant and in the case diary it has come to be recorded that the present case has been levelled under Section 376 of the Indian Penal Code only to embellish the earlier case and to make the charge graver.

Considering the facts and circumstances and that the petitioner has no criminal history, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Suryagarha P.S. Case No. 162 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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