

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42574 of 2016

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Bijay Kumar @ Bijay Prasad, Son of Shiv Deni Prasad Sah, Resident of
Village Nawada Pataria, P.S. Sadar, District Bhojpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bhavesh Kumar, Advocate

For the Informant : Mr. Pranav Kumar, Advocate

Mr. Rajeev Ranjan, Advocate

Mr. Raju Kumar Singh, Advocate

For the Opposite Party : Mr. Surendra Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 18-10-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sahar P.S. Case No. 72 of 2016 arising out of Complaint Case No. 668(C) of 2016, disclosing offences under Sections 493, 323 and 376 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that it is evident from the F.I.R. that allegation of physical relationship is consensual in nature and the informant was mature enough to understand everything.

Learned counsel for the informant has opposed the prayer for anticipatory bail.

However, considering the nature of allegation, 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 10th Additional Chief Judicial Magistrate, Bhojpur, Ara in connection with Sahar P.S. Case No. 72 of 2016 arising out of Complaint Case No. 668(C) 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 below on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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