

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42569 of 2016

Arising out of P.S. Case No. - 34 Year - 2016 Thana - MAHILA P.S. District - SAHARSA

=====

Bikash Kumar Ram, S/o Ram Bilash Ram, Resident of Mohalla - Gandhi Path, Hathi Tola, Ward No. 08, Saharsa, P.S. - Sadar, Saharsa, District - Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party : Mr. Ajit Kumar, A.P.P.

=====

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 Saharsa Mahila P.S. Case No. 34 of 2016 and POCSO Case No. 16 of 2016, disclosing offences under Sections 376, 354 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that one month prior to the lodging of the present F.I.R., brother of the victim had lodged Saharsa Sadar P.S. Case No. 291 of 2015/16 on 06.04.2016. It is his submission that there is false allegation made in the F.I.R. that the petitioner was having physical relationship with the victim for last one year, since there is no whisper of such fact in the F.I.R. registered earlier on 06.04.2016. On the basis of counter version to F.I.R. of Saharsa P.S. Case No. 291 of 2016,

Sharsa P.S. Case No. 292 of 2016 was registered on the basis of fardbeyan of mother of the petitioner, he contends.

Considering the background in which the F.I.R. has been lodged, 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 Sessions Judge-I, Saharsa in connection with Saharsa Mahila P.S. Case No. 34 of 2016 and POCSO Case No. 16 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.)

Kundan c

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