

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24557 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -BATH District- BHAGALPUR

1. Niraj Mandal Son of Shri Niwas Mandal, Resident of village- Dhoraiya,
P.S.- Dhoraiya, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mrs. Anusaiya Jaiswal (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 20-08-2016

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Bath P.S. Case no. 87 of 2015, disclosing offences under Sections 363, 366A of the Indian Penal Code and Section 4 of the Protection of Children From Sexual Offences Act.

Learned counsel for the petitioner has submitted, referring to the First Information Report, that the petitioner has been implicated merely on the basis of suspicion and there is absolutely no material to justify his implication as an accused, other than the said suspicion.

Learned Additional Public Prosecutor appearing on behalf of the State has not been able to controvert the said submission on the basis of the case diary, which has been

received.

Considering the above, this application is allowed. Let the petitioner above-named, in the event of his arrest/surrender within four weeks from today in the Court below 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 Chief Judicial Magistrate, Bhagalpur in Bath P.S. Case No. 87 of 2015, subject to the conditions as 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 consecutives occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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