

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44109 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -MAHILA PS District- JEHANABAD

Sonu Kumar, son of Lalan Prasad, Resident of Village-Murgiyachak, P.S. Ghosi
District Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar, Advocate.

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 18-10-2016

Heard learned counsel for the parties.

The petitioner apprehends arrest in connection with Jehanabad
Mahila P.S. Case No. 22 of 2016 dated 16.05.2016 registered under
Sections 323/354/376/511/457/379/504/34 of the Indian Penal Code and
Section 8 of the Protection of Children from Sexual Offences Act, 2012.

The allegation against the petitioner is that he along with four
others entered into the house of the informant and tried to commit rape.
Four of them were caught at the spot while the petitioner ran away. It is
further alleged that two other co-accused were also standing outside with
lathi and danda, who ran away threatening the informant.

Learned counsel for the petitioner submits that he is the co-
villager of the informant and has been falsely implicated as he was studying
in a coaching institute being a friend of Sunil Kumar who was having love
affair with the informant and in order to pressurize him to marry, he along

with his friends, including the petitioner , have been made accused. It is submitted that even as per the allegation, incident of rape actually did not occur.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsels for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner, named above, be released on bail upon furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned A.D.J. 1st Jehanabad-cum-Special Incharge Court POSCO in connection with Jehanabad Mahila P.S. Case No. 22 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further that:

- (a) The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Sujit/-

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