

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36947 of 2016

Arising Out of PS.Case No. -230 Year- 2016 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Md. Irshad son of Imam Mian resident of Village-Ilam Ram Chowk, Ganj
No.-1, Bettiah, P.S.- Bettiah (Town) District West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey

For the Opposite Party : Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 19-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Bettia Town Police Station Case No. 230 of 2016,
disclosing offences under Sections 366(A)/34 of the Indian Penal
Code.

Learned counsel appearing on behalf of the
petitioner has drawn my attention to Annexure-2 of the
application, which is a copy of the statement of victim recorded
under section 164 of the Cr.P.C., from which, it appears that she
was taken to Delhi by the petitioner and co-accused Ayub Ansari
and subsequently, she was made to return when she learnt that

her father had lodged the present F.I.R.

Learned counsel for the petitioner has submitted that in the statement, recorded under section 164 of the Cr.P.C., there is no allegation of any misbehaviour or sexual assault, made by the petitioner or any other person. He has submitted that no purpose would be served if the petitioner is taken into the custody in a matter like the present one. The petitioner has no criminal antecedent and he is ready to co-operate with the police, in course of investigation.

Considering the submission, as above, this application is accordingly 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettia, West Champaran, in connection with Bettia Town Police Station Case No. 230 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 on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Amit/-

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