

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40595 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -BHARGAWAN District- ARRARIA

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1. Ram Chander Sardar @ Ramchandra Sardar Son of Late Mahendra Sardar. Resident of Village - Kusmaul, P.S. Bhargama, District- Araria (Bihar) Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 22-09-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bhargama Police Station Case No. 44 of 2016, disclosing offences under Sections 341, 323, 354B and 504 of the Indian Penal Code.

It is alleged in the First Information Report that when the informant was cutting grass in the land belonging to the petitioner, he came in inebriated condition and outraged her modesty.

Learned Counsel appearing on behalf of the petitioner has submitted that admittedly, the land, in which the informant was cutting grass, belongs to him. According to him, in the guise of cutting grass, the informant was attempting to cut maize plants, which belong to the petitioner, which was objected to and in retaliation, the

informant filed a false case. It has also been submitted that there is no chance that the petitioner shall flee from the course of investigation or trial, if granted privilege of anticipatory bail.

Considering the above submission, this application is allowed.

Let the petitioner, Ram Chander Sardar @ Ramchandra Sardar, 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 Additional Chief Judicial Magistrate II, Araria, in connection with Bhargama Police Station Case No. 44 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.)

Prabhakar Anand/-

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