

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1172 of 2016

Arising Out of PS.Case No. -211 Year- 2015 Thana -AKBARPUR District- NAWADA

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Manoj Rajbanshi S/o Late Vijay Rajbanshi resident of village/Mohalla -
Shyama Pachrukhi, P.S. Akbarpur, District - Nawada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

For the Informant : Mr. Vibhuti Ranjan Sonvadra, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 03-03-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises out of

Akbarpur P.S. Case No. 211/2015, disclosing offences under

sections 376, 511 and 506/34 of the Indian penal Code.

It is alleged that the petitioner attempted to commit rape

on the informant and he fled away when other persons rushed to

the place of occurrence. It is submitted on behalf of the petitioner

that considering the nature of accusation, there is no chance of

tampering with the evidence. He further submits that the petitioner

cannot flee from the course of investigation or trial. It has further

been submitted that co-accused Raj Kumar Rajbanshi has been

granted anticipatory bail by the court below.

Learned counsel for the informant has opposed the prayer for anticipatory bail and has submitted that the main allegation is against the present petitioner.

However, considering the facts and circumstance and the nature of accusation, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 A.C.J.M.II, Nawada in Akbarpur P.S. Case No. 211/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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