

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.176 of 2016

Arising Out of PS.Case No. -14 Year- 2014 Thana -MAHILA P.S. District- MADHEPURA

1. Bijendra Paswan S/o- Janardan Paswan Resident of Village- Madhuwan,
P.S. & District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Parmanand Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 04-03-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of
Madhepura Mahila P.S. case No. 14 of 2014(G.R. Case No.
1022/2014), disclosing offences under Sections 376/34 of the
Indian Penal Code and 4 of the Protection of Children from Sexual
Offence Act, 2012.

Learned counsel for the petitioner submits that no offence
under Sections 376/34 of the Indian Penal Code is made out so far
as the present petitioner is concerned and the allegation of rape
against one Ranjeet, as is evident from the statement of the victim
recorded under Section 164 of the Code of Criminal Procedure. I
find substance in the submission made on behalf of the petitioner

after going through the statement of the victim recorded under Section 164 of the Code of Criminal Procedure which is at Annexure-2 to the application.

Considering the submission as 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 A.D.J. Ist, Madhepura in connection with Madhepura Mahila P.S. Case No. 14 of 2014 (G.R. No. 1022 of 2014), 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 consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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