

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3480 of 2017

Arising Out of PS.Case No. -133 Year- 2016 Thana -GAYGHAT District- MUZAFFARPUR

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1. Bajrangi Sah, Son of Late Kari Sah, resident of Village- Doaridih, P.S.- Gaighat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Punam Shrivastava

For the Opposite Party/s : Mr. Sri Gopesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 27-03-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Gaighat Police Station Case No. 133 of 2016, disclosing offences under Sections 341, 376 and 511 of the Indian Penal Code and Section 4 of POCSO Act.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, has falsely been implicated in this case. In fact, the occurrence took place on 05.06.2016 but the F.I.R. has been lodged after lapse of two months under Section 376/511 of the I.P.C., delay itself falsify the prosecution version. No occurrence as alleged in the F.I.R. has taken place. Hence, the petitioner deserves the privilege of



anticipatory bail.

Considering the facts and circumstances of the case, 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 Special Judge, POCSO Act, Muzaffarpur, in connection with G.R. No. 47 of 2016 arising out of Police station Case No. 133 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J..)

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