

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14433 of 2017

Arising Out of PS.Case No. -300 Year- 2016 Thana -BAHERA District- DARBHANGA

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Santosh Choudhary @ Santosh Kumar Choudhary, Son of Late Shyam Bihari Chaudhary, resident of Village Motipur, Police Station Bahera, District Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-03-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Bahera P.S. Case No. 300 of 2016 instituted for the offence under Section (s) 456, 354(B) of the Indian Penal Code.

It has been submitted on behalf of the petitioner that petitioner has falsely been implicated on account of previous enmity.

Learned Sessions Judge has mentioned in the impugned order that there is old enmity between the family members of the petitioner and the informant. The family members of the informant were convicted by the Court on 24.04.2014 vide Sessions Trial No. 266 of 1993 in the case filed by the family



members of the petitioner.

In the written report, there is general allegation against this petitioner that after entering into the room, he attempted to commit illegal act with the informant.

It has been mentioned in para 3 of the petition that petitioner has no criminal antecedent.

Learned counsel for the informant also appeared and opposed the prayer for bail of the petitioner.

In the facts and circumstances of the case, the prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, above named, within six weeks from today in connection with Bahera P.S. Case No. 300 of 2016, he shall be released on anticipatory 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, Benipur, Darbhanga, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Priya, J)

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