

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15039 of 2017

Arising Out of PS.Case No. -2 Year- 2016 Thana -MAHILA PS District- GOPALGANJ

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Gobind Sharma, S/o Jagernath Sharma, Resident of Village- Bakatiya, Tole
Wali Chaper, P.S. Kateya, District Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devanand Tiwari, Advocate.

For the Opposite Party/s : Smt. Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 25-04-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Gopalganj Mahila P.S. Case No. 2 of 2016 instituted for the offence under Sections 323, 376, 511 and 452 of the Indian Penal Code.
- It has been submitted on behalf of the petitioner that this case has been instituted on account of land dispute. The occurrence is said to have taken place on 6.12.2014 and the complaint has been filed by the complainant on 20.11.2015 which was sent to the Police Station under Section 156 (3) Cr. P.C. Thereafter, the case was registered on 4.1.2016. It has further been submitted that there is no similarity in the complaint and the statement of the informant recorded under Section 164 Cr. P.C.
- As per the written report, there is allegation against



the petitioner that he attempted to commit rape with the victim girl.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Mahila P.S. Case No. 2 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 Chief Judicial Magistrate, Gopalganj, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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