

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33566 of 2017

Arising Out of PS.Case No. -238 Year- 2016 Thana -WAJIRGANJ District- GAYA

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Shailendra Rajwanshi Son of Ganauri Rajbanshi, R/o Vilage-Makhdumpur
Tola, baratu Bigha, P.S. Wajirganj, Distt. Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 20-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Wajirganj P.S. Case No.
238 of 2016 instituted for the offence under Sections-379, 376, 511 &
other minor sections of the Indian Penal Code.

It has been submitted by the petitioner that occurrence has
taken place on 13-06-2016 whereas FIR has been lodged by the
informant on 08-07-2016 i.e. after delay of more than 24 days. It has
further been submitted that there is land dispute between the parties.

There is allegation against this petitioner that after entering
into house of the informant, he attempted to outrage her modesty.

In paragraph-3 of the petition, it has been mentioned that
the petitioner has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner named above in the event



of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Wajirganj P.S. Case No. 238 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Gaya subject to condition as laid down u/S 438(2) of the 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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