

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38841 of 2017

Arising Out of PS.Case No. -80 Year- 2017 Thana -DUMRAUN District- BUXAR

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Ajay Kumar, Son of Shivanand Prasad, R/o Village- 72, Arya Colony, S.S.
Collage Road, P.S.- Dumraon, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Nath, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Dumraon P.S. Case
No. 80 of 2017 instituted for the offence under Sections 341, 323, 354,
354(A)(i)(iv) read with Section 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
informant who was student of Aryabhata Computer College in which
the petitioner is said to be the Director. He has been falsely implicated
in this case because the informant wanted to enhance her marks.

In the written report, it is alleged that on the date of
occurrence, she was assaulted due to which she became unconscious.

The prescription of the doctor Baleshwar Singh has been
enclosed which shows that only Acis plus and Cobadex forte (vitamin
B. Complex) has been prescribed. There is general and omnibus
allegation against the petitioner.



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 Dumraon P.S. Case No. 80 of 2017, 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, Buxar, 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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