

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40854 of 2017

Arising Out of PS.Case No. -130 Year- 2017 Thana -BARAHIYA District- LAKHISARAI

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Rahul Kumar, Son of Rabindra Singh, Resident of Village- Laxmipur,
Police Station- Brahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar-1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Brahiya P.S.

Case No. 130 of 2017 instituted for the offence under Sections
354, 354 (a), 354(c), 354(d) of the Indian Penal Code and Sections
3/4 of POCSO Act.

It has been submitted on behalf of the petitioner that
mere vague and omnibus allegation has been leveled against the
petitioner. The victim has sworn affidavit with Notary Public that
no occurrence has taken place with her.

In the written report, there is general and omnibus
allegation against the petitioner that he used to tease the sister of
the informant when she was going from her house for tuition.

It is mentioned in paragraph-3 of the bail petition that



petitioner has no criminal antecedent.

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 Brahiya P.S. Case No. 130 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 1st Additional District & Sessions Judge-cum-Special Judge, POCSO, Lakhisarai, 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.

S.Ali/-

(Sanjay Priya, J)

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