

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47260 of 2017

Arising Out of PS.Case No. -242 Year- 2015 Thana -PATORI District- SAMASTIPUR

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Shashank Kumar Chaudhary @ Shashank Kumar Jaiswal @ Munna Chaudhary, Son of Shiv Kumar Chaudhary, R/o Village- Hasanpur Surat, P.S.- Patory, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.N.P. Sinha, Sr. Advocate.
Ms. Rashmi Bharti, Advocate
For the State : Mr. Anuj Kumar Shrivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 12-10-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Patory P.S.
- Case No. 242 of 2015 instituted for the offence under Sections 376 and 511 of the Indian Penal Code.
- Learned counsel for the petitioner has submitted that police after investigation submitted Final Form in this case. The court below after differing with Final Form, took cognizance against the petitioner for the offence under Sections 376 and 511 of the Indian Penal Code. It has further been submitted that the informant is in habit of filing such case.
- As per written report, petitioner attempted to commit illegal act with the informant after entering into her room.



In such circumstances, 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 Patory P.S. Case No. 242 of 2015, 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, Samastipur, 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.

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(Sanjay Priya, J)

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