

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51020 of 2017

Arising Out of PS.Case No. -237 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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Hasmuddin Mian

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Paharpur P.S. Case No. 237 of 2017 instituted for the offence under Section-354B & other minor Sections of the Indian Penal Code.

It has been submitted that the instant case is counter blast of Complaint Case No. 1740 of 2017 filed by the petitioner against the informant of this case and four others.

In the instant case, the occurrence is said to have taken place on 13-08-2017 and the FIR has been lodged on 21-08-2017 after delay of 7 days.

It has been submitted that the petitioner has filed complaint case on 13-08-2017 itself and thereafter, in retaliation, the instant false case has been filed against this petitioner.

In the written report, there is general and omnibus allegation that the petitioner attempted to commit rape with the



informant.

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 Paharpur P.S. Case No. 237 of 2017 to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari 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 petitioners.

(Sanjay Priya, J)

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