

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59117 of 2017

Arising Out of PS.Case No. -146 Year- 2017 Thana -DHANSORI District- BUXAR

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Ramashraya Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Dhansoi P.S. Case No. 146 of 2017 instituted for the offence under Section-354(b)(c) of the Indian Penal Code and 1(ii)(v) of the POCSO Act.

It has been submitted on behalf of the petitioner that the instant case has been filed just to digest the money of the petitioner by the informant who had taken an amount of Rs. 50,000/-.

In the written report, it is alleged that 10-12 days prior to the date of lodging of the FIR, this petitioner seeing the daughter of the informant alone in the house, took nude photographs of her. It has been submitted that girl was never produced in the court for recording her statement u/S 164 Cr.P.C. Mere vague and omnibus allegation has been levelled against the petitioner.

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 Dhansoi P.S. Case No. 146 of 2017 to the satisfaction of learned A.D.J. Ist-cum-Special Judge, SC/ST, Buxar 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)

A.K.V./-

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