

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55619 of 2017

Arising Out of PS.Case No. -29 Year- 2012 Thana -ARWAL District- JEHANABAD

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1. Surendra Bhagat Son of Ram Pujan Bhagat , R/o Village- Dharara
(Baidarabad), P.S.- Karpi (Arwal), District- Arwal).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Arwal P.S. Case No. 29
of 2012 instituted for the offence under Sections-366, 376 of the Indian
Penal Code.

As per allegation in the written report, there is specific
allegation against Santosh Kumar of committing illegal act with the
informant. The victim in her statement u/S 164 of the Cr.P.C. also made
specific allegation of committing illicit act against the co-accused
Santosh Kumar. The petitioner is said to be Mama of Santosh Kumar.
In the statement u/S 164 of the Cr.P.C., the victim girl has levelled
general and omnibus allegation that he attempted to kill her by pressing
neck.

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 Arwal P.S. Case No. 29 of 2012 to the satisfaction of learned Chief Judicial Magistrate, Arwal 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)

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