

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53499 of 2017

Arising Out of PS.Case No. -138 Year- 2015 Thana -MAHILA P.S. District- SIWAN

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Rakesh Sharma, Son of Ramjanam Sharma, Resident of Village-Harpurjan,
Anchal + P.S. Masarakh, District Saran-841410.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate.

For the Opposite Party/s : Smt Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 15-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Siwan Mahila**
P.S. Case No. 138 of 2015 instituted for the offence under
Sections 341, 376, 511, 448, 323, 307 and 506 of the Indian Penal
Code.

As per complaint petition, the occurrence has taken
place on 9.5.2015 and 10.5.2015 whereas the complaint has been
filed on 1.7.2015 after long delay without any explanation.

In the complaint petition there is general and omnibus
allegation against the petitioner that he attempted to misbehave
with the daughter of the informant when she was going for call of
nature.

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 **Siwan Mahila P.S. Case No. 138 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 Sub Divisional Judicial Magistrate, Siwan**, 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.

(Sanjay Priya, J)

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