

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7243 of 2017

Arising Out of PS.Case No. -140 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Mohammad Harun, Son of Late Amanat Resident of Village-Bhogari, P.S.-
Majhauria, District-West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Archana Jha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-02-2017 This is an application for grant of anticipatory bail
for offences punishable under Sections 448, 341, 323, 379, 376,
511, 504, 354B of the Indian Penal Code.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that
there is allegation under Sections 376, 511 and other allied
Sections of the Indian Penal Code but chargesheet has been
submitted against the petitioner under Section 354B of the Indian
Penal Code and earlier petitioner was on police bail granted under
Section 41 of the Code of Criminal Procedure. Now Chargesheet
has been submitted and, as such, petitioner has come before this
Court for anticipatory bail. Petitioner has not misused the
privilege of bail granted by police under Section 41 of the Code of
Criminal Procedure. It has further been submitted that as a matter
of fact the dispute arose with respect to a passage(Rasta).
Petitioner is a Government teacher in school and aged about 55
years.



Heard learned A.P.P. also.

Having heard both sides, in view of the fact that chargesheet has been submitted under Section 354B of the Indian Penal Code, he was on police bail under Section 41 of the Code of Criminal Procedure, he is a Government teacher and there is no charge of absconding against him, let above named petitioner, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., West Champaran, Bettiah, in connection with Majhauria P.S. Case no. 140 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. There are other conditions also that (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the investigation and make himself available before the police as and when required.

(Vinod Kumar Sinha, J)

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