

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29515 of 2017

Arising Out of PS.Case No. -79 Year- 2017 Thana -FALKAHA District- KATIHAR

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Sikandar Mandal @ Sikandar Kumar Mandal @ Akhilesh @ Akhilesh
Kumar Mandal Son of Deo Narayan Mandal, Resident of Village- Hasaili,
P.S.- Falka, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah @ Baranwal
For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 13-07-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Falka Police Station Case No. 79 of 2017, disclosing
offences under Sections 376/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence. In fact, there was love affair
between the petitioner and the victim. As a matter of fact, the
occurrence took place on 28.03.2017 but the F.I.R. was lodged
on 01.04.2017 after lapse of 5 days, which creates doubt on the
prosecution version. Hence, the petitioner deserves the privilege
of anticipatory bail.



Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-5th, Katihar, in connection with Falka Police Station Case No. 79 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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