

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52981 of 2017

Arising Out of PS.Case No. -320 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Sanjay Baitha, S/o Late Sikam Baitha, Resident of Village- Jawkatiya,
P.S.- Majhauria, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with Majhauria P.S.Case No.320 of 2017 registered for offences punishable under Sections 376, 354(B) and 34 of the Indian Penal Code.

Allegation against the petitioner is of molesting the informant and allegation against the other co-accused persons is of committing rape.

Submission of the learned counsel for the petitioner is that in the statement recorded under Section 164 Cr.P.C., she has not supported the prosecution case and on the basis of the same the other co-accused persons have been granted bail by this Court, vide order dated 17.10.2017 passed in Cr. Misc. No.49317 of 2017



and the case of the petitioner is on better footing than the other co-accused persons.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Majhauria P.S. Case no.320 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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