

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39940 of 2017

Arising Out of PS.Case No. -423 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

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1. Dharmendra Prakash S/o Late Yogendra Ojha, resident of Village+ P.O.-
Khabra, P.S.- Sadar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kudhani P.S. Case No.
423 of 2015 instituted for the offence under Sections-354, 354A of the
Indian Penal Code and Sections-8, 10 & 12 of POCSO Act.

It is alleged in the written report that the petitioner who is
headmaster of the school caught hold the daughter of the informant
with bad intention.

Counsel for the petitioner has submitted that police after
investigation, has submitted final form as lack of evidence but learned
court below has taken cognizance after differing with the final form. It
has further been submitted that a compromise petition has also been
filed in the court below.

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 in Kudhani P.S. Case No. 423 of 2015 to the satisfaction of learned Additional District & Sessions Judge-Ist-cum-Special Judge, POCSO Act, Muzaffarpur 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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