

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40828 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -MAHILA P.S. District- SARAN

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1. Uttam Kumar Singh @ Uttam Kumar Son of Late Rajendra Singh,
Resident of Village-Atarsan, P.S.-Rasulpur, District-Saran, At Present
residing at Village & P.S.-Rasulpur, District-Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalin Vilochan Tiwary

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-09-2017

Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Mahila P.S.
Case No. 25/2017 instituted for the offences under Sections 376/34
of the Indian Penal Code and Sections 3 of the POCSO Act.

In the written report, there is specific allegation of
committing rape with minor daughter of the informant against
Munna @ Pravin Kumar Singh, school teacher. The victim has made
her statement under Section 164 of the Cr.P.C. (Annexure-2),
wherein, she has made specific allegation against Munna @ Pravin
Kumar of committing rape with her. There is general and omnibus
allegation against this petitioner, which appears from the statement
of the victim recorded under Section 164 of the Cr.P.C.

It has been submitted on behalf of the petitioner that



the petitioner is owner of the premises. He lives in a separate house in another village. He has let out his premises to Munna @ Pravin Kumar Singh.

Considering the facts and circumstances of the case, the 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 Mahila P.S. Case No. 25/2017, 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 the learned 1st Additional Session Judge, Saran at Chapra, subject to the conditions as laid down under Section 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 tamper 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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