

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52297 of 2017

Arising Out of PS.Case No. -186 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

=====

1. Rakesh Chauhan, Son of Lallan Chauhan, Resident of Village- Madurna,
P.S.- Chainpur, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Chainpur P.S. Case No.
186 of 2017 instituted for the offence under Sections-379, 354 & other
minor Sections of the Indian Penal Code.

It has been submitted that the informant and the petitioner
are descendents of their common ancestors. There is long dispute
between the parties on account of drainage of water.

In the FIR, there is general and omnibus allegation against
this petitioner that he was trying to talk indecent language with her
daughter and when she raised protest, then, he assaulted the informant
and he also took away articles from possession of the informant as
mentioned in the written report.

Learned Sessions Judge has mentioned in the impugned
order that police has found the allegation of 379 of the Indian Penal



Code is false.

From the written report itself, it appears that there is general and omnibus allegation against this petitioner.

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 Chainpur P.S. Case No. 186 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Kaimur at Bhabua 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)

A.K.V./-

U		T	
---	--	---	--

