

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63527 of 2017

Arising Out of PS.Case No. -70 Year- 2017 Thana -PHENHARA District-
EASTCHAMPARAN(MOTIHARI)

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Abhishek Kumar, S/o Late Birendra Prasad Kashyap, R/o Tadhwa Nandpur,
P.S.- Bairiya, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate.

For the Opposite Party/s : Mr. Abhay Kumar – 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Phenhara P.S.**

Case No. 70 of 2017 instituted for the offence under Sections
354B, 376, 511, 504 and 506/34 of the Indian Penal Code.

In the written report it is alleged that this petitioner
along with Awinash Kumar Singh entered into the room of the
informant and started abusing her. They also attempted to outrage
her modesty. The petitioner and another accused also torn cloth of
the informant and tried to commit illegal act with her.

Learned counsel for the petitioner has submitted that
co-accused Awinash Kumar with similar allegation has been
granted anticipatory bail by a coordinate Bench of this Court vide
order dated 13.12.2017 passed in Cr. Misc. 60614 of 2017.



Considering the facts and circumstances of the case, 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 **Phenhara P.S. Case No. 70 of 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 **learned Additional Chief Judicial Magistrate-12th, Motihari, East Champaran**, subject to the conditions as laid down under Section 438 (2) 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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