

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44185 of 2018

Arising out of P.S. Case No.-16 Year-2018 Thana- MAHILA P.S. District- Kishanganj

Sanjay Sharma, S/o Dhakru Sharma, R/o Vill.- Konua Gach, P.S.- Chopar ,
District- Uttar Dinazpur (W.B.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. B.N.Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-07-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Mahila P.S. Case No. 16 of 2018, registered for offences punishable under Sections 376 and 506 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is of committing rape forcibly upon the informant and thereafter, Panchayati was held but in Panchayati petitioner denied come into the Panchayati.

Submission of the learned counsel for the petitioner is that the whole prosecution case is false and concocted and it will appear from the fact that there is a delay of three years in lodging the FIR. It has also been submitted that petitioner was doing work at Saudi Arabia and earned handsome salary, so the informant given pressure to the petitioner to marry with the



informant and the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as well as considering the delay of three years in lodging the FIR, as discussed above, let the petitioner, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Mahila P.S. Case No. 16 of 2018 to the satisfaction of learned Sub Divisional Judicial Magistrate, Kishanganj, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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