

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58344 of 2017

Arising Out of PS.Case No. -765 Year- 2017 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

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1. Bimali Kunwar @ Bimali Kumar @ Vimali Kunwar, Wife of Late Ram Pravesh Chouhan,
2. Rohit Kumar, Son of Mukhiya Chouhan, Both are resident of Village- Baraiyabagh Colony, P.S.- Sasaram (M), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 02-02-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Sasaram Town (M) P.S.

Case No. 765 of 2017 instituted for the offence under Section-366-A of the Indian Penal Code.

It has been submitted that the alleged occurrence has taken place on 22-05-2017 and the FIR was lodged on 03-06-2017 after delay of 12 days. It has also been submitted that as per written report, the girl of 14 years had gone outside from her house to attend call of nature at 4.00 a.m. which does not appear very satisfactory allegation. Counsel for the petitioner has submitted that these petitioners are mother and neighbour of co-accused Chhotu Kumar. Counsel for the petitioner has mentioned in para-15 of the bail petition that the informant was indulging in trade of illicit liquor which was opposed by these



petitioners and therefore, they have been implicated in the case.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their 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 Sasaram Town (M) P.S. Case No. 765 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram 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) petitioners 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 be liable to cancel his bail bond and (3) if petitioners 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 petitioners.

(Sanjay Priya, J)

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