

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22506 of 2018

Arising Out of PS. Case No.-511 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Chhotu Kumar @ Chhotu Tanti S/o Suresh Tanti @ Suresh Das, R/o Vill.-
Hajipur, P.S.- Sajaur (Shahkund), District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Suman Devi W/o Dipak Paswan, R/o Vill.- Hajipur, Post Office- Ratanganj,
P.S.- Sajaur (Shahkund), District- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-06-2018 Heard learned counsel for the petitioner and learned APP
for the State as well as the informant.

Petitioner apprehends his arrest in Complaint Case No.
511 of 2017 instituted for the offence under Section(s) 323, 354
and 379 of the Indian Penal Code.

In the written report, it is alleged that complainant is an
Anganwari Sahayika in the Anganwari Kendra, Hajipur. She
used to prepare Khichadi on the centre. It is alleged that on 25-
03-2017 while she was alone in the house the petitioner entered
into her house and tried to outrage her modesty.

It is submitted that alleged occurrence has taken place on
25-03-2017 and complaint has been filed by the complainant



after delay of five days on 01-04-2017. It is further submitted that the petitioner and complainant are co-villagers. The petitioner protested with regard to the distribution of the stale food by the complainant to children in Anganwari Centre and on account of which instant false case has been filed. It is further submitted that other co-accused persons of this case has already been granted anticipatory bail by co-ordinate bench of this court vide order dated 20-12-2017 passed in Cr. Misc. No. 57865 of 2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Complaint Case No. 511 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 the Judicial Magistrate 1st Class, Bhagalpur/ concerned court, 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 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)

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