

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18664 of 2018

Arising Out of PS.Case No. -698 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

=====

Md. Zakir, S/o Md. Anu, Resident of Mohalla- Data Kambal Shah Mazar,
Near Muslim Club, P.S.- Town, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Khusboo Pravin, D/o Md. Sharfuddin @ Dabbu, Resident of Mohalla-
Data Kambal Shah Mazar, Near Muslim Club, P.S.- Town, District-
Muzaffarpur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate.
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-05-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner apprehends his arrest in **Muzaffarpur**
Town P.S. Case No. 698 of 2016 instituted for the offence under
Sections 147, 148, 307, 323, 326, 328, 354, 354(B), 379, 506,
509/34 of the Indian Penal Code, Sections 3, 4, 6, 8, 10 and 11 of
POCSO Act.

In the instant case there is allegation that this
petitioner and other accused persons assaulted the informant and
forcibly poured poisonous thing in her mouth due to which she
started vomiting.



Learned counsel for the petitioner has submitted that the alleged occurrence is said to have taken place on 12.08.2016 and complaint which has been sent to Police Station under Section 156(3) Cr. P.C., has been filed on 23.09.2016 i.e. after lapse of more than one month. It has further been submitted that prior to the instant case, sister of the petitioner has filed Town P.S. Case No. 546 of 2016 against the prosecution side.

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 **Muzaffarpur Town P.S. Case No. 698 of 2016**, 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 1st **Additional Sessions Judge-cum-Spl. Judge, POCSO Act, Muzaffarpur**, 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)

S.Ali/-

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

