

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16826 of 2018

Arising Out of PS.Case No. -235 Year- 2015 Thana -DALSINGHSARAI District- SAMASTIPUR
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Rajesh Kumar Rai @ Rajesh Kumar @ Tutu Rai, S/o Sonelal Rai, resident
of village - Keota, P.S. - Dalsingsarai, District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 03-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Dalsingsarai**
P.S. Case No.235 of 2015 instituted for the offence under
Sections 376 of the Indian Penal Code and Section 4 of POCSO
Act.

In the written report it is alleged that the daughter of
the informant (victim) was not found in the house. The informant
made search and found her daughter in the orchard. She informed
the informant that Pappu Sharma has forcibly committed rape
with her.

Counsel for the petitioner has submitted that there is
no allegation of any specific overt act against the petitioner. The
name of this petitioner has been taken by the informant in her re-



statement.

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 **Dalsingsarai P.S. Case No.235 of 2015**, 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 Special Judge, Samastipur**, 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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