

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39113 of 2018

Arising Out of PS.Case No. -88 Year- 2017 Thana -BARIYARPUR District- MUNGER

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1. Shiva Kumar @ Ghatwa, son of Chhabhu Das, resident of village-
Gandhipur, P.S.- Bariyarpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 05-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Bariyarpur P.S.**

Case No.88 of 2017 instituted for the offence under Section(s)

323, 342, 380, 376, 511, 504/34 Indian Penal Code.

It is alleged in the written report that this petitioner
after entering into the house tried to outrage the modesty of the
informant.

Counsel for the petitioner submits that prior to
lodging of this case, mother of the petitioner has filed a
complaint case on 20.04.2017 vide Complaint Case No.362-C of
2017, which was sent to P.S. under Section 156(3) Cr. P.C. It is
further submitted that parents of the petitioner had also submitted



application before the Officer-in-Charge, Bariarpur, with regard to giving threat to kill.

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 **Bariarpur P.S. Case No.88 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 **Chief Judicial Magistrate, Munger**, 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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