

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46604 of 2018

Arising Out of PS.Case No. -445 Year- 2017 Thana -FATUHA District- PATNA

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1. Lakshman Kumar @ Lakshman Yadav S/o Yugal Yadav @ Jugal Prasad,
R/o Vill.- Nisubuchak, P.S.- Fatuha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 25-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Fatuha P.S. Case
No. 445/2017, instituted for the offences punishable under Sections 376
and 511 of the Indian Penal Code read with Section 4 of the POCSO
Act.

Learned counsel for the petitioner has submitted that the
occurrence has taken place on 10.10.2017 and the F.I.R. has been
lodged on 12.10.2017. The victim has made statement under Section
164 Cr.P.C., which has been annexed as Annexure-2, wherein she has
not levelled any specific allegation against this petitioner.

In the written report, it is alleged that while the informant
was returning to her house, she was given lift by this petitioner. Later,
she was taken to an abandoned house where two other persons, namely,
Manish Yadav and Dudhni Kumar attempted to do illegal act. When



she raised alarm, nearby persons arrived there and the petitioner and two other persons fled away.

Considering the facts and circumstances of the case, the 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 Fatuha P.S. Case No. 445/2017, 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 learned 1st Additional Sessions Judge, Patna, subject to the conditions as laid down under Section 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) 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 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 petitioner.

(Sanjay Priya, J.)

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