

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31015 of 2018

Arising Out of PS. Case No.-147 Year-2017 Thana- CHAKAI District- Jamui

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Lalo Das, son of Kaila Das, resident of Fariyatadih, police station- Chakai,
District- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks Anticipatory bail in connection
with Chakai P.S. Case No. 147 of 2017 registered under
Sections 376, 313, 302/34,201 of the Indian Penal Code and
Section 4 of the POCSO Act.

The allegation against the petitioner is that co-accused
of this case on the promise of marriage committed rape on the
sister of informant and when she became pregnant, he alongwith
other co-accused including petitioner took her to terminator her
pregnancy, during which she and her foetus died.

Learned counsel for the petitioner submitted that he is
innocent and has been falsely implicated in this case. It has
further been submitted that only allegation against this petitioner



is that he accompanied the co-accused Tinku Das in terminating the pregnancy of sister of the informant and no further allegation has been levelled against him. It has further been submitted that several co-accused persons have been granted anticipatory bail as contained in Annexure-2 to this petition.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Jamui, in connection with Chakai P.S. Case No. 147 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on their part two appear before the police on two consecutive dates without showing any genuine



reasons, the prosecution will be free to move for cancellation of his bail bonds.

(S. Kumar, J)

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