

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41304 of 2018

Arising Out of PS.C.ase No. -60 Year- 2018 Thana -KHIJARSARAI District- GAYA

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Shrawan Yadav son of Chandrika Yadav @ Chanarik Yadav, resident of
Village- Maharaj Bigha, P.S. Khizarsarai, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 17-07-2018

Heard learned counsel for the petitioner as well as the
State.

The petitioner apprehends his arrest in Khizarsarai P.S.
Case No. 60/2018, instituted for the offences under Sections 341, 323,
354(A), 354(B), 379, 504 and 506 of the Indian Penal Code as well as
Sections 8 and 12 of POCSO Act, 2012.

Learned counsel for the petitioner has submitted that
there is general and omnibus allegation against the petitioner. It is
further submitted that the statement of the victim girl recorded under
Section 164 of the Cr.P.C. is quite different from the story stated by the
informant.

In the written report, it is alleged that the petitioner tried
to outrage the modesty of the daughter of the informant in the shop of
Sarju Sah when she had gone to purchase some articles but in the
statement made under Section 164 of the Cr.P.C. it is alleged that this



petitioner forcibly took her inside the house of the shopkeeper and misbehaved with her. The statement of the victim girl is annexed as Annexure-3.

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 Khizarsarai P.S. Case No. 60/2018, he shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-I, Gaya, 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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