

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3066 of 2018

Arising Out of PS.Case No. -61 Year- 2017 Thana -MAHILA PS District- KATIHAR

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Jalu Rai, Son of Late Anto Lal Rai, resident of village- Shikarpur
Mahinagar, P.S.- Baliya Belon, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate.

For the Opposite Party/s : Mr. Asharaf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 19-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Mahila P.S.**

Case No. 61 of 2017 instituted for the offence under Sections
354(B), 323 and 379/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
there is no injury sustained by the informant on her private part. It
has further been submitted that 16 days prior to lodging the instant
case, the petitioner has lodged First Information Report vide
Kadwa (Baliya Belon) P.S. Case No. 240 of 2017 dated 27.8.2017
against the informant and others. The instant case has been filed
by the informant as a counter blast of the aforesaid case.

Case diary has been received.

Learned A.P.P. after perusing the case diary has



submitted that there is no injury report of the informant available in the case diary.

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 **Mahila P.S. Case No. 61 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 **learned Sub Divisional Judicial Magistrate, Katihar**, 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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