

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62167 of 2017

Arising Out of PS.Case No. -372 Year- 2017 Thana -BRAHMPUR District- BUXAR

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Manish Pandey, Son of Late Bharat Pandey, Resident of village- Gayghat,
P.S.- Brahmpur, District- Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma, Advocate.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Brahmpur**
P.S. Case No. 372 of 2017 instituted for the offence under
Sections 448, 354, 506, 509 of the Indian Penal Code and Section
12 of POCSO Act.

Learned counsel for the petitioner has submitted that
the victim girl is student of Graduation. It has further been
submitted that the petitioner and victim girl were having love
affairs. The petitioner often used to visit the house of the victim
girl being a friend of her brother.

In the written report there is allegation that petitioner
on 5.6.2017 tried to misbehave with the daughter of the informant
which was opposed by her. It is further alleged that when the



daughter of informant used to go for coaching classes, the petitioner followed and tried to tease her. It is further alleged that on 11.9.2017 one letter giving threat was sent to the house of the informant by someone. It is alleged that this petitioner always used to follow the daughter of the informant.

From the written report it appears that at first instance the occurrence has taken place on 4.09.2017 but the instant First Information Report was lodged on 12.10.2017 i.e. after lapse of more than one month.

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 **Brahmpur P.S. Case No. 372 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 **Chief Judicial Magistrate, Buxar**, 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.

S.Ali/-

(Sanjay Priya, J)

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