

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38756 of 2018

Arising Out of PS.Case No. -55 Year- 2016 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

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1. Irfan Sarwar S/o Shekh Wakil Mian, R/o Vill.- Gobindapur, P.S.-
Harsidhi, District- East Champaran, Presently residing in Vill.- Siswa, P.S.-
Banjaria, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Motihari Mahila P.S. Case No. 55 of 2016 (G.R.No.4695/16) registered for the offences punishable under Sections 341, 323, 354(B), 376 and 511/34 of the Indian Penal.

Allegation against the petitioner and other accused persons is of misbehaving with the informant and also attempted to commit rape.

Submission of learned counsel for the petitioner is that the petitioner is not named in the F.I.R. and so far the allegation of rape is concerned, the same is against the other accused persons



and the statement of the victim girl has been recorded before the police in which she has not named this petitioner. He has clean antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari, in Motihari Mahila P.S. Case No. 55 of 2016 (G.R.No.4695/16), subject to conditions as laid down under section 438 (2) of the Code of Criminal Procedure and further conditions are that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and further condition is that they have to co-operate in the investigation of the case and make himself available as and when required by the police, otherwise the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is



allowed.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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