

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19017 of 2018

Arising Out of PS. Case No.-101 Year-2015 Thana- DHAMDAHA District- Purnia

Md. Ansar, S/o Md. Tahir, R/o Village- Maheshpur, P.S.- Falka, District-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 15-05-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Dhamdaha P.S.
Case No. 101 of 2015 instituted for the offence under Sections
302,201/34 of the IPC.

Learned counsel for the petitioner submits that
petitioner is not named among five persons whose name is
mentioned in the FIR, who were alleged to assault the daughter
of the informant. The daughter of the informant has given
statement under Section 164 Cr.P.C., wherein, also she has not
taken the name of this petitioner.

Learned APP after perusing the statement of the
victim girl recorded under Section 164 Cr.P.C., submits that the
victim has not taken the name of this petitioner.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Dhamdaha P.S. Case No. 101 of 2015 to the satisfaction of the learned Chief Judicial Magistrate, Purnia, subject to condition as laid down u/S 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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