

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3247 of 2019

Arising Out of PS. Case No.-43 Year-2018 Thana- MAHILA P.S. District- Saharsa

Dharmendra Choudhary son of Shalendra Choudhary Resident of Village-
Dah, Kathdumar, P.S. Bakhtiyarpur, Distt. Saharsa.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-01-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mahila P.S. Case No. 43 of 2018 for the offence under Sections 376, 420, 497 and 120B of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner appears to be correct in his submission that the physical relationship cannot be said to be forceful on the basis of what has been alleged in the complaint petition, which is the basis for registration of the First Information Report, rather the same appears to be consensual.

Considering the aforesaid submission, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below,



be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa in Mahila P.S. Case No. 43 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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