

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18784 of 2019

Arising Out of PS. Case No.-53 Year-2018 Thana- MAHILA P.S. District- Siwan

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MUKESH KUMAR SAH @ MUKESH KUMAR Son of Late Surendra Sah
Resident of Village - Hakam , P.s.- Pachrukhi, Distt.- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-03-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Siwan Mahila P.S. Case No. 53 of 2018 for the offence under Sections 341, 323, 376, 354, 504, 506 and 379 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner is correct in his submission that though the informant, the victim, disclosed the name of the accused Khurshid Alam as perpetrator of the crime, the petitioner's name was not disclosed. She disclosed the petitioner's name nine days after the date of occurrence in course of investigation before the police. He submits that according to her own statement, based on which the First Information Report has been registered, the informant was having physical relationship with the main accused Khurshid Alam.



Considering the facts and circumstances, in my view, a case for grant of privilege of anticipatory bail is made out. This application is accordingly 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., Siwan in Siwan Mahila P.S. Case No. 53 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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