

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40969 of 2019

Arising Out of PS. Case No.-123 Year-2019 Thana- AMARPUR District- Banka

PANKAJ PASWAN Son of Subhash Paswan Resident of Village-Chandpur,
P.S-Amarpur, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Amarpur P.S. Case NO. 123 of 2019, disclosing offences under Sections 306,354B & 506 of the Indian Penal Code.

The alleged victim is the informant.

Learned counsel for the petitioner has submitted that the First Information Report does not contain any ingredients of the commission of the offence under Section 306 of the Indian Penal Code. It has further been stated that the informant is a married woman and before lodging of the present case on 22.03.2019, for an occurrence said to have taken place on 19.10.2018, the informant had filed Amarpur P.S. Case No. 586 of 2018 alleging commission of offence under Sections 363,365 of the Indian Penal Code.

Learned counsel for the petitioner has argued that



the statement of the informant has been recorded under Section 164 of the Code of Criminal Procedure, which belies the case of the prosecution, as narrated in the First Information Report. I find substance in the submission so advanced on behalf of the petitioner.

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 Chief Judicial Magistrate, Banka in Amarpur P.S. Case No. 123 of 2019, 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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