

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52784 of 2019

Arising Out of PS. Case No.-281 Year-2017 Thana- SAHEBPUR KAMAL District-
Begusarai

=====

CHHATISH KUMAR Son of Ram Vilas Ray @ Bilash Roy Resident of
Village - Raghunathpur, P.S.- Sahebpur Kamal, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1

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

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Sahebpur Kamal P.S.Case No. 281 of 2017, disclosing offences
under Sections 376, 511 and 307 of the Indian Penal Code.

The petitioner is the younger brother of the husband
of the informant. There is allegation against him of having
attempted to commit rape on the informant.

Learned counsel for the petitioner has submitted that,
during investigation, the petitioner was given the privilege
under Section 41-A of the Cr. P.C. He has submitted that the
investigation is complete and the police have not found the
commission of the offence, punishable under Section 376 of the
IPC. He has also submitted that no tangible purpose is going to



be served, if the petitioner is taken into custody, once the investigation is complete, in the absence of any indication that the petitioner ever misused the privilege, which was granted to him under Section 41-A of the Cr. P.C.

Considering the above 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 bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned CJM, Begusarai in connection with Sahebpur Kamal P.S. Case No. 281 of 2017, subject to the condition 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)

HR/-

U		T	
---	--	---	--

