

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56976 of 2019

Arising Out of PS. Case No.-110 Year-2019 Thana- SAUR BAZAR District- Saharsa

SUMIT SADA Son of Kailu Sada @ Kailash Sada Resident of Village-
Gamahriya, P.S.- Sour Bazar, O.P. Baijnathpur, District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sour Bazar (Baijanthpur O.P.) P.S. Case NO. 110 of 2019, disclosing offences under Sections 376/34 of the Indian Penal Code.

A complaint case lodged by the informant is the basis for registration of the FIR under Section 156(3) of the Code of Criminal Procedure.

Learned counsel appearing on behalf of the petitioner has submitted that the allegation that the petitioner connived with his mother and maternal uncle to commit the offence as alleged is highly improbable. It has been argued that there are civil and criminal cases pending between the complainant and the petitioner's family.

Learned counsel for the petitioner has submitted



that no case is made out for commission of the offence punishable under Section 376 of the Indian Penal Code.

Considering the facts and circumstances, 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, Saharsa in Sour Bazar (Baijnathpur O.P) P.S. Case No. 110 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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