

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12647 of 2015**

Arising Out of PS.Case No. -58 Year- 2014 Thana -AWADPUR District- KATIHAR

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1. Baddsah @ Badsah Son of Laal Mohammad resident of village -  
Gawaltoli, P.S. Abadpur, District - Katihar

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhay Kumar Singh

For the Opposite Party/s Mr. Kr. Ranjit Ranjan(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

03/ 30.06.2015 Heard learned counsel for the petitioner as well as learned  
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Abadpur  
P. S. case no. 58/2014 registered under section 376 and 120B of the  
Indian Penal Code.

Admittedly, petitioner happens to be younger brother-in-law  
of the informant. There is accusation against the petitioner that he  
committed rape on the informant but submission on behalf of the  
petitioner is that after marriage when the informant came to her  
matrimonial home, she did not like her husband and left her  
matrimonial home. Further it is pointed out that when husband of the  
informant went to take her back, she refused to come at her  
matrimonial home and, thereafter, husband of the informant filed  
matrimonial suit for restitution of his conjugal rights and a Panchyati  
was also held. It is contended by him that the informant lodged this

false case with an intent to put pressure upon the petitioner as well as his family members.

Para 8 of the case diary reveals that statement of father of the informant was recorded by the Investigating officer in course of investigation and father of the informant admitted factum of panchayati.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in Abadpur P. S. case no. 58/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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