

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2679 of 2015

Arising Out of PS.Case No. -4831 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Shri Bhagwan Singh @ Bhagwan Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Sr. Adv.
Mr. Bimal Ranjan, Adv.

For the Opposite Party/s : Mr. Suraj Narain Pd. Sinha, Sr. Adv.
Mr. Bijendra Kumar Singh, Adv.

For the State : Mr. Dinesh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 376/511 of the Indian Penal Code and Section 3 of the SC/ST (Prevention of Atrocities) Act.

It is alleged that the complainant being a domestic help, was working in the house of the petitioner when the petitioner attempted to ravish her.

It is submitted by learned Senior Counsel for the petitioner that Case No. 89 of 2012-13 was pending before Deputy Collector, Land Reforms, Sadar, Purnia in which the

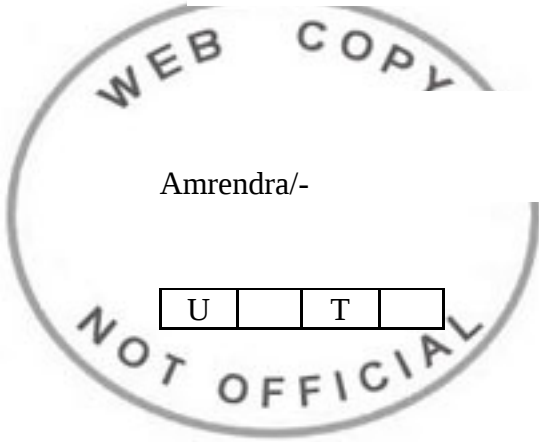


complainant is opposite party in which the Deputy Collector, Land Reforms, Sadar, Purnia entrusted an enquiry to the petitioner when the report against the complainant was submitted by the petitioner on 17.12.2012, thereafter, complaint was filed on 21.12.2012 for the occurrence of 19.12.2012 and there is no explanation for delayed lodging of the complaint. There is no medical report on record. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

It is submitted by learned counsel appearing for the complainant that the accusation levelled in para 5 of the complaint petition constitutes an offence under Section 376/511 of the IPC and the since the complainant belongs to the scheduled caste category, hence offences under SC/ST Act is also made out.

Considering the delayed lodging of the complaint in the background of report submitted by the petitioner against the complainant at earlier point of time, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea in connection with

Complaint Case No. 4831 of 2012, subject to the conditions as
laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)