

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18206 of 2015

Arising Out of PS.Case No. -670 Year- 2013 Thana -COMPLAINT CASE District- BANKA

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Raghunath Kisku, Son of Suzan Kisku, Resident of Village - Kurmatand,
Police Station - Fullidumar, District - Banka.

.... Petitioner

Versus

1. The State of Bihar.
2. Manisha Kumari, daughter of Ram Chandar Murmu, Resident of
Village-Etba, Police Station - Fullidumar, District - Banka.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 09-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 670 of 2013 in which cognizance has
been taken under Section 376 of the Indian Penal Code.

It is contended that according to the complaint, it
would appear that the alleged occurrence is said to have taken
place on 21.04.2013 but the complaint was filed after five days
on 26.4.2013 and no plausible explanation has been given for

the delay in filing the complaint. It is further contended that in course of inquiry conducted under Section 202 of the Code of Criminal Procedure, the Officer-in-charge of the police station submitted a report to the learned Chief Judicial Magistrate stating therein that the petitioner has been falsely implicated in the case and on the date of alleged occurrence, he was out of the village.

Learned counsel for the State has opposed the prayer for anticipatory bail.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender within a period of four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Banka in connection with Complaint Case No. 670 of 2013 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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