

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34606 of 2015

Arising Out of PS.Case No. -150 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Pramanand Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Parmanand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 02-09-2015 Let in the first paragraph of the order dated 01.09.2015

‘Digha P.S. Case No. 208 of 2012’ be read as ‘Digha P.S. Case

No. 208 of 2013’.

The order dated 01.09.2015 was passed since only protest-cum-complaint petition was placed before the court during argument though the prayer for anticipatory bail has been sought in connection with Digha P.S. Case No. 208 of 2012. Since, it is brought to the notice that the formal FIR is also on record as Annexure-1, hence the order dated 01.09.2015 is rescinded.

The petitioner is apprehending arrest in a complaint-cum-protest case wherein process has been directed after cognizance being taken for the offences punishable under Sections 376/511 of the Indian Penal Code.

Initially, Digha P.S. Case No. 208 of 2012 was

registered with accusation under Section 376/511 of the IPC wherein it was alleged that the complainant was in search of a room on rent when this petitioner took her to show the room and on the point of knife he tried to disrobe and ravish the complainant.

It is submitted by learned counsel for the petitioner that the complainant is a fictitious lady who has been set up by the agnates of the petitioner who lost title suit at the hands of the petitioner. It is further submitted that the complainant described herself as wife of Satendra Rai, resident of village-Singhara, P.S.-Maner, District- Patna but the report of Panchayat Mukhiya suggests that no such lady is available in village. During investigation, it was found that complainant is the wife of Gopal Rai. During investigation, the police found accusation false and submitted final form which was accepted and thereafter the matter proceeded on protest-cum-complaint petition wherein process has been directed to be issued after cognizance being taken.

Considering the accusation being found false and the identity and address of the complainant have not been found correct, 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 J.M., 1st Class, Patna in connection with Protest-cum-complaint Case No. 150C of 2014 arising out of Digha P.S. Case No. 208 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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