

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15089 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Baliram Singh S/o Raj Grihi Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Sharda Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 376/511/323/504/34 of the Indian Penal Code.

Learned counsel for the petitioner is permitted to make necessary correction in paragraph 10 of the petition.

It is alleged that when the informant was returning after easing out then the petitioner wanted to establish forceful physical relationship on protest being made the petitioner cut her cheek with his teeth when the informant made complaint on the house of the petitioner then the petitioner and his brothers namely Binay Kumar and Binod Kumar assaulted the informant.

It is submitted by learned counsel for the petitioner that neither there any injury report on record nor 164 Cr. P.C.

statement was recorded, a statement to this effect has been made at para 12 of the petition and even assuming the accusation true no offence under section 376 is made out. Moreover, the informant has retracted from initial version and has filed a petition to that effect before the learned court below. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, 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 Judicial Magistrate, 1st Class, Sasaram in connection with Kargahar P.S. Case No.36 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on verification of the fact by the learned lower court below to the effect that the informant has received no injury.

(Dinesh Kumar Singh, J)

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