

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27976 of 2014

Arising Out of PS.Case No. -14 Year- 2014 Thana -MAHILA P.S. District- SAHARSA

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Rajesh Kumar Sinha, Son of Jayanandan Prasad, resident of Mohalla- Naya Gaon, Gulzarbagh, P.S.- Alamganj, District- Patna. At present posted as Deputy Project Director, Agriculture Training Management Agency (ATMA)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate

For the Opposite Party/s : Smt. Anuradha Singh (App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

5 13-05-2015 Heard the learned counsel for the petitioner and the learned counsel for the State.

This application has been filed for grant of anticipatory bail to the petitioner in Saharsa Mahila P.S. Case No.14/2014 registered for the offence punishable under Sections 376, 313, 379, 468 and 506 of the Indian Penal Code.

It is submitted that the petitioner is the Deputy Project Director in Agriculture Training Management Agency (ATMA) where the informant/prosecutrix is a 4th grade employee (Peon). She had borrowed Rs.10,000/- in the month of October, 2013 from the petitioner for the purpose of marriage of her daughter. She did not return the amount till March, 2014.



Thereafter, on the invitation of the prosecutrix, the petitioner had gone to her house on the occasion of reception of her daughter and son-in-law, but both of them were not there. After taking meal, the petitioner became senseless and he regained his sense after 4-5 hours and found himself in abnormal condition and after 4-5 days, the prosecutrix again demanded Rs.10,000/-, which was refused by the petitioner. Thereafter, the informant threatened that if the money would not given to her, she would publish the obscene photographs in public and will also lodge a false case of rape against him and thereafter, the petitioner filed an Informatory Petition No.492/2014 in the court of Sub-Divisional Magistrate, Saharsa and thereafter, the petitioner has been falsely implicated in this case which has been lodged on 2.06.2014.

It is further submitted that the date of birth of the prosecutrix is 25.12.1972, whereas, in the case diary, her age has been somewhere stated as 22 years and somewhere as 42 years.

The learned counsel for the State could not controvert the contention of the learned counsel for the petitioner while opposing his prayer for bail.

Considering the facts and circumstances of the case, let the petitioner above-named be released on bail in the event of

surrender within a period of three weeks on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in Saharsa Mahila P.S. Case No.14 of 2014 subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure and the other following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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