

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54047 of 2015

Arising Out of PS.Case No. -79 Year- 2014 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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Harendra Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Adv.

For the Opposite Party/s : Mr. Smt.Sahin Begum(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the brother-in-law of the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 323, 494, 496, 497, 406, 488, 498A, 376 and 307 of the Indian Penal Code.

The prosecution case is that the informant was married with one Ramesh Kumar Singh on 05.03.2004. Immediately after marriage the demand of dowry was made. Initially, the informant filed a complaint which ended into compromise, subsequently, the husband of the informant performed second marriage and started residing separately. It is alleged against the petitioner that the petitioner being the brother-in-law of the husband of the informant ravished the informant.

It is submitted by learned counsel for the petitioner that

on conclusion of the investigation, final form(charge sheet) was submitted under Sections 498A/34 of the IPC and subsequently learned Magistrate vide order dated 24.08.2014 took cognizance under Section 498A/34 of the IPC. It is further submitted that informant has subsequently retracted from his initial version and has reconciled the issue at her matrimonial house.

Considering the facts that chargesheet has been submitted under Sections 498A/34 IPC, investigation has already concluded and the informant has retracted from her initial version, 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., Motihari, East Champaran in connection with Pipra Kothi P.S. Case No. 79 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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