

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15100 of 2016

Arising Out of PS.Case No. -747 Year- 2015 Thana -BANKA District- BANKA

Dablu Das, S/o Sannu Das, Resident of Village- Sanhaura, Police Station-
Banka, District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Mukherjee

For the Opposite Party : Mr. Mukesh Kr.Singh(APP)

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

3 26-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in relation to Banka
P.S. Case No. 747 of 2015 registered under Section 376 of the
Indian Penal Code.

Learned counsel for the petitioner states that the
prosecutrix alleges that on 19.12.15, in the morning, at 8 o' clock
she was raped by the petitioner and her husband and another had
seen the occurrence. She did not record this to the police but on
the next day a written complaint was filed before the Chief
Judicial Magistrate, who forwarded it under section 156 (3) of the
Code of Criminal Procedure pursuant to that after almost a year
the case was registered by the police.

From the order of the learned Sessions Judge, rejecting the anticipatory bail application of the petitioner, it is clear that in course of investigation, in further statement, the informant, her husband and other witness have given a totally goby story of rape and have supported the version of outraging the modesty of the victim.

Be that as it may, in the event of his arrest/surrender before the court below within four weeks, let the Above named petitioners be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 747 of 2015, subject to conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

Rajiv/Amit

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