

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 22580 of 2016

Arising Out of PS.Case No. -771 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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Saroj Kumar S/O Late Kailash Mahton resident of Village Mathurapur,
Ward No. 4 P.S. & District Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Binod Kr. 3(App)

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

2 25-05-2016

The petitioner apprehends arrest in Khagaria Police Station (PS) Case No 771 of 2015 instituted under Sections 323, 447, 448, 506, 354C, 376, 452, 354, Indian Penal Code and Section 27 of Arms Act.

The allegation by the informant is that the petitioner had been raping her for over six months on threat. Learned counsel for the petitioner draws attention of this Court to the order passed by the learned Sessions Judge, Khagaria in relation to anticipatory bail application of the mother of the petitioner Manju Devi who has also been made an accused in the present case. The learned Sessions Judge has clearly noticed that the mother of the petitioner is the Gotni of the informant. It is, thus, clear that they are very closely related. The true reason, it is submitted, is that

there being family dispute amongst the members, this false case has been instituted.

Be that as it may, in the event of his arrest or surrender within four weeks from today, the petitioner abovenamed shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in Khagaria PS Case No 771 of 2015 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Navaniti Prasad Singh, J)

M.E.H./-

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