

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43328 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana -SISWAN District- SIWAN

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1. Prakash Rai Son of Nirmal Rai, Resident of Village Arjanipur, P.S.-
M.H. Nagar, District- Siwan.

.... Petitioner

Versus

1. The State of Bihar.
2. Rajnandani, Wife of Madhaw Rai, Resident of Arajanipur Ke Tola, P.S.-
M.H. Nagar, District- Siwan.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Siswan (M.H. Nagar) P.S. Case No. 77 of 2016 for the
offences instituted under Sections 376/450 of the Indian Penal
Code.

The allegation against the petitioner is of committing
rape upon the victim, while she was sleeping in her room.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. He has
got no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Prior to the institution of



the present case, a case was instituted by the petitioner against the father-in-law and brother-in-law of the informant. The matter has already been compromised between the parties vide Annexures-3 and 4 to the present application.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Siswan (M.H. Nagar) P.S. Case No. 77 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Mr. Sandeep Kumar, Judicial Magistrate, 1st Class, Siwan, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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