

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 890 of 2016

Arising Out of PS.Case No. -60 Year- 2015 Thana -MANIHARI District- KATIHAR

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Dhanraj Singh @ Dhanraj Kumar Singh, S/o Harihar Singh, R/o village
GariGhutti, Kumaripur, P.S. Manihari, District – Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Nand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 15-02-2016 Heard Sri Sharda Nand Mishra, learned counsel for
the petitioner and Sri Nand Kumar, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Manihari P.S. Case No. 60 of 2015 registered for the offence
under Sections 147, 447, 448, 323, 354(A), 354(B), 379, 427, 504
of the Indian Penal Code, has prayed for grant of anticipatory bail.

By way of referring to F.I.R., learned counsel for the
petitioner submits that the informant herself had alleged that in the
night of 03-05-2015, the petitioner had tried to outrage her
modesty, whereas no such information was given either to the
police or to anyone regarding the occurrence and after lapse of
about five days from the date of occurrence, a neat typed copy
complaint was made before the officer incharge disclosing the

allegation against the petitioner and other family members. By way of referring to F.I.R., he further submits that the F.I.R. discloses the reason for the occurrence as the land dispute in between the parties.

Besides hearing, I have also perused the materials available on record. The Court is of the opinion that if there was truth regarding the allegation, obviously the informant would have immediately informed the police. In such occurrence, a typed copy of complaint before the police raises serious doubt. The Court, on perusal of the F.I.R., is satisfied that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the court below within a period of six weeks from today, let the petitioner namely Dhanraj Singh @ Dhanraj Kumar Singh be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Katihar in connection with Manihari P.S. Case No. 60 of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C.

It is made clear that whatever observation has been recorded by this Court that has been recorded only in considering the prayer for anticipatory bail. The observation may not be taken

note by either of the court at subsequent stage. This observation
has been recorded only for the purpose of grant of anticipatory
bail.

(Rakesh Kumar, J.)

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