

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47318 of 2016

Arising Out of PS.Case No. -82 Year- 2016 Thana -SINGHESHWARASHTHAN District-
MADHEPURA

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Randhir Kumar Bhagat @ Suraj Kumar son of Late Jay Narayan Bhagat,
resident of village- Gauripur, P.S. Singheshwar, District- Madhepura

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-11-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Singheshwar P.S. Case No. 82 of 2016 for the offences
instituted under Sections 365, 364 and 34 of the Indian Penal
Code.

The allegation against the accused persons including
the petitioner is of kidnapping the husband of the informant in the
name of providing treatment of the husband of the informant in
order to capture the land.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. There is
no allegation of tampering of witnesses alleged against the



petitioner. A Complaint Case No. 1314 of 2010 was filed against the petitioner, which was converted into F.I.R. under section 156(3) of the Cr.P.C in the year 2016, in which, the petitioner is seeking bail. After the filing of the said complaint case, this very informant/complainant had filed a police case bearing Singheshwar P.S. Case No. 52 of 2011 with a similar allegation and for the same offence. The police had submitted final form in the said case. Thereafter the informant/complainant filed a protest petition in the subsequent case, on the basis of which, cognizance was taken. Later on, vide Annexure-3 to the present application, a compromise was entered between the parties and the petitioner was granted bail in that case. The victim was suffering from a psychiatric problem and due to mistake of fact, the present case was instituted against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the Complaint/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 Singheshwar P.S. Case No. 82 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount

each to the satisfaction of learned Judicial Magistrate, 1st Class,
Madhepura, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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