

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18638 of 2017

Arising Out of PS.Case No. -59 Year- 2016 Thana -MAHILA P.S. District- BANKA

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Nirmal Sharma Son of Late Ganesh Sharma, resident of village -
Maheshadih, P.O. + P.S. + District - Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Niwas Singh

For the Opposite Party/s : Smt Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 23-06-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Banka (Mahila) P.S. Case No. 59 of 2016 for the offences punishable under sections 448, 341, 354 (A), 354 (B), 354 (C), 504 and 506 of the I.P.C.

Allegedly, the petitioner used to look the informant when she gets bath at the hand pump from the hole in the wall. On 23.12.2016 the petitioner entered into the house of the informant and pulled her and asked her to become his wife and he will give Rs.2,000/- and when the informant raised alarm then he after giving threats fled away. He has given threats that one day he will commit rape upon her.

Submission is of false implication and that for the



alleged occurrence dated 23.12.2016 case has been lodged on 26.12.2016 after delay of three days, as a matter of fact the husband of the informant has constructed wall after encroaching the land of the petitioner and for that there was dispute between the parties and the informant lodged this false case, during investigation the witnesses vide paragraphs- 17, 18 and 19 have stated that there was dispute for construction of wall and the informant has lodged this false case.

The learned A.P.P. submits that other witnesses have supported the prosecution version.

In the facts and circumstances as stated above, considering the statements of Nuneshwar Sharma, Dashrath Sharma and Binod Sharma, vide paragraphs- 17, 18 and 19 of the case diary, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. S.D.J.M. Banka in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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