

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24170 of 2017

Arising Out of PS.Case No. -95 Year- 2016 Thana -DHAMDAHA District- PURNIA

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1. PRITAM KUMAR @ PRITAM KUMAR JHA, son of Jivanand Jha @ Jivanand Jha, resident of Dhamdaha, North Durga Mandir, P.S.- Dhamdaha, District- Purnea.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amish Kumar, Adv.

For the Opposite Party : Mr. Gopesh Kumar, APP 26

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-07-2017

Heard the learned counsel for the petitioner and the State.

This is a petition for grant of anticipatory bail for offence under Sections 376 and 511 of the Indian Penal Code.

According to first information report, the petitioner is alleged to have attempted to commit rape against the informant.

Submission of the learned counsel for the petitioner is that the father of this petitioner had lodged Complaint Case No. 1219 of 2005 against the husband of the informant in the Court of the learned Chief Judicial Magistrate, Purnea, which was registered as Dhamdaha P.S. Case No. 105 of 2005 and husband of the informant was sent to jail in that case. Due to that grudge, the present false case has been lodged.

After investigation, the police did not find the allegation true. However, the learned Magistrate disagreed with the police report and took cognizance against the petitioner.

Considering the aforesaid fact, which creates doubt on the



prosecution version, let the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with **Dhamdaha P.S. Case No. 95 of 2016** to the satisfaction of the **Chief Judicial Magistrate, Purnea**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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