

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49833 of 2016

Arising Out of PS.Case No. -977 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Manoj Mandal, son of Mahesh Prasad Mandal, resident of village Gangia
Karharia, P.S. Goradih, district Bhagalpur Petitioner

Versus

1. The State of Bihar
 2. Kiran Devi, wife of late Bishwanath Nigam, resident of village Ganga
Karharia, P.S. Goradih, district Bhagalpur Opposite Parties
- =====

Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Adv.
For the Opposite Parties : Mr. Pranav Kumar, APP 207

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 20-01-2017 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 323 and 354B of the Indian Penal Code.

Allegation against the petitioner is that he committed
rape on the complainant.

Submission of the petitioner is that the allegation is
based on complaint petition and background of the allegation is
that the complainant as well as the wife of the petitioner were
working as Agan Bari Sevika and Sahayika in the same school.
First, wife of this petitioner made complaint of absence against
Kiran Devi, the complainant on 20.12.2007 and, thereafter, on
29.01.2013 regarding unauthorized absence of Kiran Devi. Due to
that grudge the present false case has been lodged though both
sides are family members. More over, the police did not find the
case true in Jagdishpur (Goradih) P.S. Case No. 40 of 2013 and
submitted final form after investigation of the case and, thereafter,
on protest petition the case is proceeding.

Considering the entire facts and circumstances, 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.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Complaint Case No. 977 of 2015** to the satisfaction of the **Chief Judicial Magistrate, Bhagalpur**, 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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