

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47151 of 2017

Arising Out of PS.Case No. -74 Year- 2017 Thana -RUPAULI District- PURNIA

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1. Bengtha Sharma @ Pankaj Sharma son of Laxman Sharma, Resident of
Village- Rampur Parihar, Gorihari, P.S.- Rupauli, District- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Sri Bharat Lal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 15-11-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Rupauli Police Station Case No. 74 of 2016, disclosing
offences under Sections 376, 452 and 511 of the Indian Penal
Code and Section 8 of POCSO Act.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence. In fact, a land dispute is going on
between the father of the petitioner and informant's husband,
which is evident from annexure-2, and in that very case husband
of informant was directed by the Panch to execute the sale deed
or return the amount of Rs. 8000/- which was paid by the father



of the petitioner, which is evident from annexure-3, and on account of that the petitioner has falsely been implicated in this case. Moreover, earlier also informant has lodged a case against the petitioner and his family members, which is evident from annexure-4. Neither offence as alleged in the F.I.R. has ever taken place nor Section 376 I.P.C. is attracted in this case as there is no medical report available on record. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned A.D.J.-1st-cum- Special Judge, Purnea, in connection with Rupauli Police Station Case No. 74 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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