

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7338 of 2017

Arising Out of Complaint Case No. -1447 Year- 2010 Thana -DARBHANGA COMPLAINT CASE
District- DARBHANGA

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Rupak Kumar Singh, S/o Birendra Singh, Resident of Village-Harachha,
P.S.-Baheri, District-Darbhangha.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi, W/o Manoj Singh, Resident of Village-Harachha, P.S.-
Baheri, District-Darbhangha.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate.

For the Opposite Party/s : Mr. Iftekhhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and the State.

The counsel for the petitioner is given liberty to make
necessary correction in paragraph-1 of the bail petition during
course of the day.

The petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 376, 323, 341, 324, 354
and 452 of the Indian Penal Code.

It has been submitted that petitioner is Dewar of the
complainant. There is land dispute between the parties. The
complaint has been filed after delay of 23 days. The learned
Magistrate after enquiry did not find prima facie case for the
offence under Section 376 Indian Penal Code. He has found prima



facie case for the offence under Sections 323, 341, 324, 354 and 452 of the Indian Penal Code.

It is mentioned in the impugned order that a Proceeding under Section 144 Cr. P.C. is going on and a Title Suit No. 192 of 2010 is also pending between the parties in the court of Sub-Judge IV, Darbhanga.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest within six weeks from today, in connection with C.R. No. 1447 of 2010, Tr. No. 161 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ravi Pandey, Judicial Magistrate, 1st Class, Darbhanga, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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