

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16649 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -RAJAUN District- BANKA

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Amrendra Prasad Singh, Son of Late Ganesh Prasad Singh, Resident of
Bijay Bhawan, Court Compound, P.S. Banka, District-Banka.

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Shreepa Kumari, Wife of Amitesh Singh, D/o Sri Ghanshyam
Singh, Resident of Village-Rajoun, P.S. Rajoun, District-Banka

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Shankar Prasad

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2017 The petitioner is apprehending his arrest in

connection with Rajaun P.S. Case No. 16 of 2017, registered for
offences punishable under Sections 341, 323, 307, 379, 498(A),
376, 511, 504 and 506/34 of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act.

The allegation against the petitioner is that he has
forced to opposite party no.2 to have sexual relation with him
and when she denied and informed her husband about the incident,
her husband and his family members assaulted her and also
tortured her.

It has been submitted that husband of the opposite
party no.2 has filed Divorce Suit against the informant before



Principal Judge, Family Court, Banka on 29.11.2016 and in the present case also allegation against the petitioner is that on 22.11.2016 he along with other four named persons pulled the informant on the ground and with intention to kill her pressed her neck but anyhow she saved herself.

It has further been submitted that when the informant came to know that a divorce case has been filed against her she with a view to take revenge against her in-laws has filed the present false and concocted case against the petitioner who is retired government servant and aged about 63 years.

Heard learned A.P.P. as well as counsel for the informant who has opposed the prayer for bail stating that there was Panchayati between the parties and they have no knowledge about the divorce case.

Having heard both sided and in view of the facts and circumstance as stated above as also considering the delay in lodging the FIR, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Banka, in connection with Rajaun



P.S. Case No. 16 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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