

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13578 of 2017

Arising Out of PS.Case No. -456 Year- 2016 Thana -KHAZANIHAT District- PURNIA

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Paras Roy, son of Late Rameshwar Roy, the Resident of Chitrawani Road,
Bhatta Bazar, P.S.- K. Hat (Sahayak), Distt- Purnea..... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Sri Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 29-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with K. Hat
(S) P.S. Case No. 456 of 2016 registered for the offences
punishable under Sections 341, 323, 376/511, 384, 307, 504,
506/34 of the Indian Penal Code.

Allegedly, the petitioner and his wife have assaulted the
informant and her husband and further tried to commit rape upon
her and when the husband and children tried to rescue then, they
were also assaulted. The two brothers-in-law of the petitioner
namely, Bambam Rai and Pappu Rai threw the son of the
informant from the roof, resulting, his condition is serious and all
these occurrence were caused only with a view to demand Rs.
50,000/-.

Submission is of false implication and that no offence



under Sections 376/511 IPC is made out, admittedly, the wife of the petitioner was with the petitioner, the injury received by the husband of Ranjita Devi is simple in nature and so far as the assault by throwing the son of the informant is concerned, that allegation is specific against Bambam Rai and Pappu Rai and not against the petitioner. The counter case was also lodged by the petitioner and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail but fairly submits that there is case and counter case.

In the facts and circumstances stated above, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K. Hat (S) P.S. Case No. 456 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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