

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.312 of 2017

Arising Out of PS.Case No. -231 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Tunnu Kumar @ Tunnu Sah, Son of Naumi Sah @ Ram Naumi Sah,
Resident of Village- Pojhia, Police Station- Lalganj, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar @ Vijay Kr. Singh, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 376 of the Indian Penal Code.

Allegation against the petitioner is that he committed
rape upon the daughter of the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case. The
victim has been examined under Section 164 Cr.P.C. in which she
has not supported the allegations made in the F.I.R. Her statement
is Annexure-3 to the present application. There are number of



criminal cases pending between the parties. The present prosecution is a malafide prosecution.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Hajipur, Vaishali in connection with Lalganj P.S. case No.231 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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