

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.428 of 2018

Arising Out of PS. Case No.-668 Year-2017 Thana- KHAZANIHAT District- Purnia

Aryan, son of Basudev Prasad, resident of Village- Sherganj, P.S.-Nagar,
District- Sasaram, at present working at Mex- 7, Hospital Purnea, P.S.- K.Hat,
District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. CHANDRA BHUSHAN PRASAD

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-02-2018 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with K. Hat P.S. Case No. 668 of 2017 registered for the offence punishable under Sections 376, 511, 504 and 506 of the Indian Penal Code.

The case of the prosecution is that according to the informant, his mother-in-law was admitted in I.C.U. of Max Hospital, Purnea and during the course of her being admitted at the hospital, the petitioner herein who is a staff of the said hospital, attempted to commit rape upon the mother-in-law of the informant herein.

The learned counsel for the petitioner submits that there was certain dispute regarding billing, hence the false case has



been lodged against the petitioner herein. It is further submitted that the petitioner has a clean antecedent.

Per contra, the learned counsel for the informant has submitted that a grave allegation has been levelled against the petitioner, as such he does not deserve anticipatory bail.

The learned A.P.P. has submitted that a perusal of the case diary would show that the Police has found no case of rape having been committed on the mother-in-law of the informant.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail 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, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Hat P.S. Case No. 668 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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