

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.63070 of 2017**

Arising Out of PS.Case No. -42 Year- 2017 Thana -MAHILA P.S. District- BANKA

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Nepali Mahrana @ Nepali Maharana, S/o Late Sadanand Mahrana @ Late Sarannu Maharana, resident of Village- Khajuri Pahari Dih, Yadav Tola, P.S.- Shambhuganj, District- Banka.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Diwakar Prasad Karn

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

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**3      19-02-2018**

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Section 376 of the Indian Penal Code.

It is submitted by the counsel for the petitioner that the informant who is a lady is aged about 55 years whereas the petitioner is 45 years old and has falsely been implicated in this case. He points out that the occurrence is of 11.09.2017 but the FIR has been lodged on 13.09.2017. During course of investigation witnesses have stated regarding the existence of a land dispute between the parties. Prior to the instant case the petitioner has no criminal antecedent. The medical report has not



shown any sign of injuries on the victim. Petitioner is in jail custody since 09.10.2017.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Additional Chief Judicial Magistrate IV, Banka** in **Mahila P.S. Case No. 42 of 2017** subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

Prakash/-

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