

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73096 of 2018

Arising Out of PS. Case No.-107 Year-2018 Thana- KHARHAGPUR District- Munger

Diwakar Singh @ Diwakar Prasad Singh @ Dhillan Singh son of Late Medni Singh, resident of Village/ Muhalla- Paharpur, Police Station- Haveli Kharagpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh

For the Opposite Party/s : Mr. Sri Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-12-2018

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kharagpur (Shampur) P.S. Case No. 107 of 2018, disclosing offences under Sections 147, 148, 149, 341, 323, 307, 337, 504, 506, 379 and 394 of the Indian Penal Code.

It is alleged that the petitioner asked his son, co-accused Santosh Kumar to assault the informant, whereafter the informant has been assaulted by the co-accused Santosh Kumar and his son Aman Kumar.

Learned counsel, appearing on behalf of the petitioner, has submitted that two days before registration of the present first information report, the petitioner's daughter-in-law had got registered a first information report with the same Police Station, registered as Kharagpur P.S. Case No. 106 of 2018,



making allegation of attempt to rape. It is submitted on behalf of the petitioner that the present first information report is counterblast to the earlier case registered by daughter-in-law of the petitioner.

Considering the nature of allegation, which is alleged in the first information report, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate Ivth, Munger, in Kharagpur (Shampur) P.S. Case No. 107 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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