

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63427 of 2018

Arising Out of PS. Case No.-145 Year-2018 Thana-
DALSINGHSARAI District- Samastipur

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Biru Das @ Vikal @ Birbal S/o Ram Das @ Ramdatt Das Resident
of Village-Rampur Jalapur, P.S. Dalsingsarai, Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 12-12-2018 The petitioner seeks bail in anticipation of his

arrest in connection with Dalsingsarai P.S. Case No. 145 of

2018 dated 29.05.2018 instituted for the offences under

Section 376 of the Indian Penal Code.

The petitioner is the cousin father-in-law of the

prosecutrix who is alleged to have subjected her to rape.

The learned counsel for the petitioner has drawn

the attention of this Court to the fact that the brother of the

petitioner had filed a case against the father-in-law of the

prosecutrix vide Complaint Case No. 330 of 2012 which is

pending adjudication before the competent Court. The



petitioner as well as the prosecutrix are related to each other and the aforesaid F.I.R appears to have been lodged only for the purposes of putting pressure upon the petitioner not to take side of his brother viz. Adalat Das, who has filed a case against the father-in-law of the prosecutrix.

Regard being had to the aforesaid facts as also taking into consideration that the prosecutrix as well as the petitioner are related to each other, the petitioner, above named, in the event of his arrest or surrender within a period of four weeks from today before the learned Court below, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Dalsingsarai, Samastipur in connection with Dalsingsarai P.S. Case No. 145 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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