

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61870 of 2018

Arising Out of PS. Case No.-334 Year-2018 Thana- AMARPUR District- Banka

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Gopal Krishna Singh @ Gopal Pd. Singh, Son of Ram Narayan Singh,
Residence of Village- Bariyarpur Ekashi, P.S.- Bariyarpur Dist.- Munger.
... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Adv.

For the Opposite Party/s : Sri Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 456 and 354B of the
Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 24.06.2018 submitted by Rekha Devi to the Station
House Officer, Amarpur Police Station is to the effect that on
23.06.2018 at 10.00 P.M. when the informant was sleeping with
his small child, in the meantime, the petitioner entered into the
courtyard of the house and pressed the mouth of the informant
with a towel and tried to ravish her. On alarm being raised, the
sister-in-laws of the informant came, then the petitioner escaped
from the scene.

It is submitted by learned counsel for the petitioner that for



the occurrence of 23.06.2018 at 10.00 P.M., the written report was submitted on 24.06.2018 at 04.10 A.M. which reached to the Court of learned CJM on 26.06.2018. There is nothing on record to suggest that the informant was medically examined or she received any injury. It is further submitted that the petitioner is a resident of Village Bariyarpur Ekashi, whereas, the informant is a resident of Village -Barmasia and on the date of alleged occurrence, the petitioner was at his native village. In fact, the informant's husband and the petitioner were working at Mumbai and the husband of the informant took a loan of Rs.20,000/- from the informant and when the petitioner made pressure to return the said amount, the present case has been lodged. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner has been named in the present case with specific accusation.

Considering the delayed lodging of the FIR, there is nothing on record to suggest that the informant was medically examined, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the



above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Banka in connection with Amarpur P.S. Case No.334 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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