

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10512 of 2018

Arising Out of PS.Case No. -75 Year- 2017 Thana -DANDARI District- BEGUSARAI

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1. Ramchandra Mochi S/o Late Dhanik Mochi, R/o Village- Katahari, P.O.- Mahobba, P.S.- Dandari, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Dandari P.S.Case nO.75 of 2017 registered for offences punishable under Sections 376, 511 of the Indian Penal Code.

Allegation against the petitioner is of attempting to commit rape upon the informant.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case and the informant is wife of his brother and the first wife of his brother has sold the land to this petitioner, for which she has got a proceeding under Section 107 of the Cr.P.C. instituted also and filed a Title Suit against the petitioner and earlier also she had filed a case under Section 376 of the IPC against the petitioner, which is pending for



trial.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that there is no second wife of the brother of the petitioner and a lady has been planned there with a view to grab the land of the informant and they are pressuring and harassing her also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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