

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25079 of 2018

Arising Out of P.S.Case No. -13 Year- 2018 Thana -UJIYARPUR District- SAMASTIPUR

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Chandan Kumar S/o Binod Rai, R/o Vill.- Belamegh, P.S.- Ujiarpur,
District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 27-04-2018 Heard.

The petitioner apprehends arrest in connection with Ujiarpur P.S.Case No.13 of 2018 registered for an offence under Section 379 and other sections of the IPC.

The informant has alleged that on 06.01.2018 when she went to meet the call of nature this petitioner torn her blouse and disrobed and also snatched gold ear tops and other co-accused also brutally assaulted her.

It appears that both the parties are at litigating term for land dispute. It is submitted that this case has been lodged only in retaliation of two cases which were earlier lodged by the petitioner against the informant vide Ujiarpur P.S.Case No.154 of 2017 and Ujiarpur P.S.Case No.12 of 2018. The allegation of assault appears omnibus and the injury report on record



shows that the informant sustained only one injury which is simple in nature.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioner in the event of his arrest or surrender before the court below within six weeks from today be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of SDJM, Dalsingsarai, District-Samastipur in connection with Ujiarpur P.S.Case No.13 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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