

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43720 of 2018

Arising Out of PS. Case No.-1454 Year-2016 Thana- COMPLAINT CASE District- Banka

Dhaneshwar Tanti, Son of Ganesh Tanti, Resident of Village- Tasariya, P.O.-
Bhorsar, Bhelwa, P.S.- Katoria, District- Banka. Petitioner
Versus

1. The State of Bihar.
2. Dulari Devi Wife of Bhadur Tanti Resident of Village- Tasariya, P.O. Bhorsar,
Bhelwa, P.S. Katoria, District Banka. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Adv.
For the Opposite Party/s : Smt. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-07-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 376/511 and 452 of the IPC.

The prosecution case, as per the complaint petition is that on 14.11.2016, in the night, the complainant Dulari Devi along with her son, Santosh Kumar and mother-in-law were sleeping, when at 9 PM, the petitioner made break in the hutment and tried to ravish the complainant and on alarm being raised, when the sister-in-law and mother-in-law of the informant came, then the petitioner escaped from the scene.

It is submitted by learned counsel for the petitioner that the petitioner is the agnate of the complainant and in the background of land dispute, the accusation has been levelled. It



is further stated that for the occurrence of 14.11.2016, the complaint has been filed on 24.11.2016. The complaint petition does not reflect that the complainant ever underwent medical examination. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that accusation is specific against the petitioner.

Considering the delayed filing of the complaint and the fact that the complainant did not undergo the medical examination, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Banka in connection with Complaint Case No. 1454 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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