

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64518 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- MUNGER COMPLAINT CASE District-
Munger

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Deepak Kumar S/o Late Gopal Singh, Resident of Village- Abu
Mohammadpur Chouhan Tola, P.S. Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Divya Divyangana, W/o- Suraj Kumar, D/o- Sanjeev Singh, Resident of
Village- Nauwagadhi, P.S.- Naya Ramnagar, District- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Pathak

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioner and learned
counsel for the opposite party no. 2 as well as learned
Additional Public Prosecutor for the State.

Petitioner happens to be younger brother-in-law of the
complainant and he has been summoned to face trial for the
offence punishable under section 354 of the Indian Penal Code.

The complainant has admitted in her complaint
petition that her relation with her husband was strained and she
started residing at her parental home. However, the complainant
claims that on the alleged date of occurrence the petitioner
came at her parental home and made attempt to commit rape on
her.



Submission on behalf of the petitioner is that petitioner got employment in Railway and his police verification was to be done on 08.08.2018 but before the police verification the complainant lodged the present false case against the petitioner so that petitioner could not succeed to get government job. He further submits that subsequently, after lodging the complaint case another complaint case no. 758 of 2018 was lodged against the petitioner as well as his other family members for the offences punishable under section 498A of the Indian Penal Code.

On the other hand, learned counsel appearing for the opposite party no. 2 opposed the bail prayer submitting that there is specific allegation against the petitioner and moreover, the injury report found on the person of the complainant supports the allegations.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief



Judicial Magistrate, Munger in Complaint Case No. 77C/2018
subject to condition as laid down under Section 438(2) of the
Cr.P.C.

N.K/-

(Hemant Kumar Srivastava, J)

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