

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2569 of 2019

Arising Out of PS. Case No.-259 Year-2018 Thana- COMPLAINT CASE District- Araria

Ranjeet Datta Bisho Datta @ Bishwanath Datta Village - Hasanpur, P.S.-
Raniganj, Dist- Araria,

... .. Petitioner/s

Versus

1. The State of Bihar
2. Brahmdeo Rishideo Late Kamleshwari Rishideo Vilalge- Sarwaha, P.S-
Raniganj , Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 25-04-2019 This application, for grant of anticipatory bail, arises
out of Complaint Case No. 259C/18, disclosing offences under
Sections 323, 354/34 of the Indian Penal Code.

Allegation against the petitioner is that he torn the cloth
of wife of complainant in order to outrage her modesty.

At the very outset, learned counsel for the petitioner has
submitted that with respect to same occurrence, complainant has
also lodged a case under the provisions of SC/ST (Prevention of
Atrocities), Act and as he was earlier not aware with the said case,
he could not mention the same in para -3 of the petition and the
allegation that has been levelled by the complainant is out and out
false and concocted and in fact there is land dispute between the
parties and earlier the complainant had filed a petition before the



SDO, which has been decided against the complainant and due to which, the complainant has lodged this false case.

Heard learned A.P.P. also as well as learned counsel for the complainant. They have opposed the prayer for bail. However, learned counsel for the complainant could not controvert the fact that there is land dispute between the parties.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Araria, in connection with Complaint Case No. 259C/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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