

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2497 of 2019

Arising Out of PS. Case No.-603 Year-2018 Thana- SONEPUR District- Saran

Butai Rai, aged about 34 years (Male), Son of Late Rajo Rai @ Rajdev Ray,
Vill-Sabalpur Chaharam, P.S-Sonepur, Distt.-Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 450, 376/511, 379, 504 and 506/34 of the IPC.

The prosecution case, as per the written report of Meena Devi, dated 25.06.2018, submitted to the Station House Officer, Sonepur Police Station, is to the effect that on the same day, at about 12 A.M., the informant was sleeping in the castle, in the meantime, co-accused, Awadh Rai and the petitioner Butai Rai came and tried to outrage her modesty, tore her clothes and also tried to drag her. It is further alleged that the accused persons also snatched gold nose pin and chain from the informant. On alarm being raised, when the neighbours of the informant,



namely, Gujjar Devi, Surendra Rai and Daroga Rai came, the accused persons pointed the pistol on the temple of the informant and threatened not to lodge the case.

It is submitted by learned counsel for the petitioner that in the background of dispute between the petitioner and the informant's family members from before, since the informant's family members used to manufacture and sale illicit liquor, for which the petitioner had made complaint, the accusation has been levelled against the petitioner. It is further submitted that for the occurrence of 25.06.2018, though, the FIR was lodged on the same day, but the same reached to the Court of learned ACJM, 03.07.2018, which suggests that by antedating the FIR has been registered. Similarly situated co-accused, Awadh Ray has been granted privilege of anticipatory bail by a co-ordinate Bench of this Court, vide order dated 12.12.2018, passed in Cr. Misc. No. 65094 of 2018. 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 the petitioner is named in the FIR with specific accusation.

Considering the delayed reaching of the FIR to the Court of learned ACJM, coupled with the statement made in



paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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 ACJM-I, Saran at Chapra in connection with Sonapur P.S. Case No. 603 of 2018, 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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