

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29415 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- SURYAGARHA District- Lakhisarai

Bahadur Kumar, S/O Kisun Prasad Yadav @ Kishun Yadav, R/O- Vill- Morama, P.O.- Patner, P.S./Dist.- Lakhisarai posted as Door Step Banking Officer, Bhagalpur Cluster in Bandhan Bank Ltd.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangiti Devi, W/o Pintu Ram, R/o Salempur (Chandrabanshi tola), Surajgarha (Manikpur), District- Lakhisarai (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dayanand Singh
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-07-2019 This is an application for grant of anticipatory bail in connection with Surajgarha P.S. Case No. 34 of 2019, disclosing offence under Section 376 of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner is that she has taken some loan from the Bandhan Bank and petitioner being the Manager called her to withdraw the amount. Thereafter, she came at 5:00 P.M. and entered inside the bank from the back side and it is alleged that petitioner forcibly committed rape upon her.

Submission of the learned counsel for the petitioner is that the whole allegations are false and concocted, as the working hours of bank is 7:30 A.M. to 3:00 P.M. and the branch



is closed thereafter. Even the witnesses have also supported the facts that bank is certainly closed after 3:30 P.M. According to the F.I.R. the informant claimed that she entered from the back door which is highly improbable. Further submission is that as she was taken loan from the bank, as such, she has made false allegation against the petitioner to pressurize the petitioner.

Heard learned A.P.P. also, who has admitted that the witnesses during investigation has stated that bank was closed at that time and the land lady has stated that nobody came at that time.

Having heard both sides, considering the above submission, 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) with two sureties of the like amount to the satisfaction of learned C.J.M., Lakhisarai, in connection with Surajgarha P.S. Case No. 34 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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