

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70631 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- RAJEPUR District- East Champaran

Rabindra Rai, Son of Chanardip Rai, Resident of Village- Sahbajiya, Police
Station- Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-01-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 448, 323, 379, 354, 505, 376/511 and 504/34 of the IPC.

The prosecution case, as per the written report of Pramila Devi, dated 23.01.2018, submitted to the Station House Officer, Rajepur Police Station, is to the effect that on 19.01.2018 at about 4.30 PM, the informant was sitting in the courtyard, in the meantime, the petitioner came and made an attempt to ravish her. On protest being made, the petitioner assaulted the informant. It is further alleged that when the informant raised alarm, the petitioner escaped from the scene, but thereafter he again came with four other accused persons, assaulted the



informant and snatched her gold nose pin. It is further alleged that co-accused Neeraj Kumar tore the clothes of the informant.

It is submitted by learned counsel for the petitioner that the petitioner is the agnate of the informant and in the background of land dispute, the accusation has been levelled against the petitioner. It is further submitted that there is no medical report on record of the informant and the informant has subsequently retracted from her initial version and filed a petition to that effect before the learned Court below. There is counter version of the occurrence also, being Rajepur P.S. Case No. 18 of 2018, registered under Sections 447, 323, 341, 379, 504 and 506/34 of the IPC, lodged by the informant's side against the petitioner's side. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that there is specific accusation against the petitioner.

Considering the fact that for the occurrence of 19.01.2018, the written report was submitted on 23.01.2018, there is no medical report of the informant on record and the retracted version of the informant, 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 SDJM, Sadar, East Champaran at Mothiari in connection with Rajepur P.S. Case No. 13 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

