

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48383 of 2019

Arising Out of PS. Case No.-682 Year-2017 Thana- COMPLAINT CASE District- Jamui

MANTU RABIDAS @ MANTU RAVIDAS Son of Udho Rabidas Resident
of Sudamapur, P.S.- Barhat, Distt - Jamui.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Chameli Devi Wife of Dileep Das Resident of Village - Sudamapur, P.S.-
Barhat, Distt - Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-08-2019 The petitioner apprehends his arrest in connection with
Complaint Case No. 682C of 2017 registered under Sections
323,376 and 380/34 of the Indian Penal Code.

Allegation against the petitioner, as per complaint, is that
when complainant had gone to attend nature's call, at that time, the
petitioner along with other accused persons caught hold the
complainant and pulled her down and after that all have committed
rape upon the complainant.

Learned counsel for the petitioner submits that petitioner is
innocent and has falsely been implicated in the present case due to
previous enmity. He further submits that petitioner is elder brother
of husband of the complainant. Learned counsel further submits
that in fact, complainant had earlier lodged a case bearing Barhat
P.S. case No. 62 of 2016 and police, after thorough investigation,



submitted final form, however, a protest petition was filed by complainant-cum-informant and that protest petition was treated to be a complaint bearing No. Complaint Case No. 682C of 2017. Learned counsel further submits that other two cases were also lodged by the same complainant against the petitioner in which petitioner has been acquitted.

After having heard learned counsel for the parties and taking into consideration the fact that the police, after investigation, has submitted final form and further, both parties are related to each other and there is previous enmity between them, *as such* I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Jamui in connection with Complaint Case No. 682C of 2017; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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