

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55644 of 2019

Arising Out of PS. Case No.-199 Year-2019 Thana- BAHADURPUR District- Darbhanga

MITHUN PASWAN Son of Dukha Paswan Resident of Village - Biraniya,
P.S.- Bahadurpur (Sonaki O.P.) and Dist.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-09-2019 This application, for grant of anticipatory bail, arises out of Bahadurpur (Sonaki O.P.) P.S. Case No. 199 of 2019, disclosing offences under Sections 376, 406, 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioner is of establishing physical relationship with the informant and of taking Rs. Two Lakh for the purchase of tractor, however, when she demanded her money back, petitioner refused to return the same.

Submission of learned counsel for the petitioner is that the informant is a mother of five children and out and out false and frivolous allegation has been levelled and no money has been taken by the petitioner, which will appear from annexure -2, which is a certificate of registration, showing the name of his mother as the owner of tractor and also the



installments receipts and that further shows that the same was purchased in the year 2016. Further submission is that so far establishing physical relationship is concerned, from the F.I.R. itself it is evident that she is a consenting party and the real fact behind the occurrence is that sister of the petitioner has lodged a case against the husband of the informant for outraging her modesty and due to which, this false case has been lodged.

Heard learned A.P.P. also.

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, Darbhanga, in connection with Bahadurpur (Sonaki O.P.) P.S. Case No. 199 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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