

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56690 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- AMDABAD District- Katihar

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SOMDEO KUMAR BOSAK Son of Kanhai Bosak Resident of Village -
Gopalpur, P.S.- Amdabad, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Amdabad P.S. Case No. 75 of 2019, disclosing the offence under Sections 387, 376, 323, 34, 120-B of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner has submitted that prior to lodging of the complaint case, which is the basis for registration of the FIR, the informant had filed an FIR giving rise to Amdabad P.S. Case No. 108 of 2018 for the offences punishable under Sections 341, 323, 354, 504, 506 and 498-A of the Indian Penal Code in which also the petitioner has been implicated as the husband of the informant. He has further submitted that though there is allegation in the FIR against the



petitioner of having committed rape, the story, as narrated by the informant in her statement under Section 164 of the Cr.P.C., is materially different.

Considering the submissions so advanced on behalf of the petitioner, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned J.M. 1st Class, Katihar in Amdabad P.S. Case No. 75 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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