IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66517 of 2019

Arising Out of PS. Case No.-284 Year-2019 Thana- SAMASTIPUR MUFFASIL District-Samastipur

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MANISH KUMAR S/o Arun Kumar Rai Resident of Village- Jitwarpur Nizamat, P.S.- Samastipur (Muffasil), District- Samastipur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-11-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Samastipur, Muffasil P.S. Case No.284 of 2019 registered under Sections 308, 323/34, 341, 376, 379, 447 and 511 of the Indian Penal Code.

The accusation is that in the midnight of 19/20.06.2019, this petitioner entered into the house of the informant and tried to commit rape on her forcibly. On protest, this petitioner assaulted the informant. In the next morning of 20.06.2019, the informant went to make complaint to the parents of this petitioner, then they started to abuse her. Thereafter, the informant made complaint to the police of patrolling duty, then they convinced them. After moving of the police, Praveen Kumar, the brother of this petitioner, asked the

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complaint that he will commit rape on her publicly. Thereafter, the father of this petitioner along with his son, after catching the cloth of the informant, naked her and this petitioner caused injury to the informant on her head through iron rod.

Learned counsel for the petitioner submits that, in fact, the petitioner is the elected Ward Member of the Panchayat and a list was prepared regarding the beneficiary under Indira Awas Yojana in which the name of the informant was found in waiting list, due to that reason, the informant has lodged the present case with false allegation. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-V, Samastipur, in connection with Samastipur, Muffasil P.S. Case No.284 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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