

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61572 of 2019

Arising Out of PS. Case No.-184 Year-2019 Thana- DINARA District- Rohtas

DIN DAYAL RAM S/o Late Musafir Ram R/o village- Kund, P.S.- Dinara
(Bhanas O.P.), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-10-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Dinara (Bhanas) Police Station Case No. 184 of 2019, disclosing offences under Sections 376 and 511 of the Indian Penal Code.

The allegation against the petitioner is that he entered into the house of the informant, outraged her modesty and tried to commit rape upon her.

Learned Counsel for the petitioner submits that the petitioner as well as the informant are close relatives and are agnates. He further submits that the writer of the First Information Report is one Dhanji Kumar, who is one of the nephews of the petitioner and there was a partition in the family



between the parties, which would be evident from Annexure P/3. He further submits that animosity in the family is apparent, which would be evident from Annexure P/2, which is the First Information Report lodged by the widow of the third brother of the petitioner. He. Referring to Annexure P/4, submits that the parties have compromised their differences and a joint compromise petition, in this regard, has already been filed in the learned Court below.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are close relatives and there appears to be property dispute between the parties, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Din Dayal Ram, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rohtas, at Sasaram, in connection with Dinara (Bhanas) Police Station Case No. 184 of 2019, subject to the condition 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 bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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