

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73060 of 2019

Arising Out of PS. Case No.-113 Year-2019 Thana- MAHILA P.S. District- Nalanda

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DHARAMVEER CHAUDHARY, aged about 32 years, Male, Son of Chandra Dev Chaudhary, Resident of Village - Dariyapur, P.S.- Bind, District – Nalanda

... Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner : Mr. Samir Kumar Sinha, Adv.

For the Opposite Party : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Nalanda Mahila P.S. Case No. 113 of 2019 registered under Sections 354B, 376, 511 and 506 of the Indian Penal Code.

The accusation is that informant, Sudha Devi, along with her children were sleeping in the house. On 07.07.2019, in the night at about 11.00 p.m. she felt that any one is pressing her and trying to commit rape, then, she made protest, on which the person pointed the pistol. On raising alarm the children also woke up and she saw in the light of the electric bulb that the person is Dharamvee Chaudhary. He fled away.

Submission is that while the occurrence took place on 07.07.2019, but, the present case has been lodged on 03.08.2019, after a month. The petitioner has purchased a land



adjacent to the land of the informant, which was to be purchased by the informant, but, she did not succeed, due to that reason the informant has lodged the present case with false allegation. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Nalanda Mahila P.S. Case No. 113 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Nalanda at Biharsharif, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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