

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4239 of 2020

Arising Out of PS. Case No.-123 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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GHURAN RAY @ GHURAN KUMAR Son of Bahadur Rai Resident of
Village - Nimachakhaidar, P.S.- Chakmehsi, District - Samastipur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Tara Devi Wife of Bharath Rai Resident of Village - Nimachakhaidar, P.S.-
Chakmehsi, District - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Pancha Nand Pandit

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 29-06-2020 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 123 of 2018 for the offence
punishable under Sections 323, 342, 354B, 380, 452, 504
and 506/34 of the Indian Penal Code and Section 8 of the
POCSO Act.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
parties happen to be agnates and they are on litigating terms
since long. Moreover, the victim happens to be cousin sister



of the petitioner and allegation of outraging the modesty of the victim is totally false. As a matter of fact, no occurrence as alleged in the complaint has ever took place. Moreover, the complainant instead of lodging the F.I.R. has chosen to file the complaint for the alleged occurrence which seems to be improbable. Hence, the petitioner may be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of his arrest or surrender before the court below within a period of four weeks be released on bail on furnishing his personal bond to the satisfaction of the learned 1st, Additional District and Sessions Judge, Samastipur in connection with Complaint Case No. 123 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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