

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33299 of 2020

Arising Out of PS. Case No.-152 Year-2020 Thana- DARIYAPUR District- Saran

RAKESH KUMAR SINGH S/o Shri Shambhu Nath Singh R/o village-
Tarwan Magarpal, P.S.- Dariyapur, District- Chapra

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sarvan Kumar

For the Opposite Party/s : A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-03-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 07.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Dariyapur P.S. Case no. 152 of 2020, registered under Sections 447, 354(A), 354(B), 323, 504 and 379 of the Indian Penal Code.

The accusation is that on 27.05.2020 at about 9.00 P.M., Rakesh Kumar Singh (Petitioner), brother-in-law of informant, entered in her house and caught hold her with bad intention, when she made protest then she was laid on the



ground and petitioner caused injury at her belly in which she sustained sever pain. At that time, petitioner also torn *Blouse* of the informant, when husband of the informant rushed there then petitioner threw sickle to cause injury at his neck, but her husband, anyhow, hold the sickle. Earlier, the petitioner has also caused injury to her on 08.05.2020 at that time, petitioner snatched gold chain from her neck.

Learned counsel for the petitioner submits that earlier the informant lodged Dariyapur P.S. Case No. 125 of 2012 for the offence under Section 498(A) of the I.P.C. against the petitioner and other family members in which on mediation the case was compromised arriving at decision that the informant and her husband would live separate from the other family members, thereafter, informant along with her children are living separately. Further submission is that, in fact, informant lodged the present case only with a view to partition of property and taking money from the mother of the informant, who is retired school teacher, and is residing with him.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Dariyapur P.S. Case No. 152 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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