

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35874 of 2021

Arising Out of PS. Case No.-39 Year-2013 Thana- MAHILA P.S. District- Banka

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NAVNEET KUMAR SINGH @ NABNIT KUMAR SINGH Son of Laxman
Singh Resident of Village - Danda, P.S. and District -Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 323, 504, 506, 354, 376, 511/34 of the Indian
Penal Code and 27 of the Arms Act.

Allegation against the petitioner is that while the
complainant/informant was cooking in her house, he entered into her
house and caught hold her from behind and thrashed on the ground
and was trying to rape with her.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has been falsely implicated in the present case. The case has been



instituted after 9 days of the alleged occurrence. The delay in instituting the FIR has not been explained by the prosecution. Police after investigation submitted charge sheet under bailable offence. The court below differed with the same and took cognizance for the offence under Section-354 and other allied sections of the IPC. Hence the present case has been filed. As per cognizance order, the case is triable by Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of Sri Vikash Kumar, learned Judicial Magistrate-Ist Class, Banka in connection with Mahila Banka P.S. Case No. 39 of 2013 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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