

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45130 of 2019

Arising Out of PS. Case No.-19 Year-2017 Thana- GOPALPUR District- Patna

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Dina Rai @ Dinanath Kumar S/o Vijay Rai R/o village- Sirpatpur, P.S.-
Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Singh
For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 26-04-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon

to do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 147, 149, 341, 323, 452, 354, 372, 504,



506 of the Indian Penal Code.

This is the fourth petition filed by the petitioner as earlier vide order dated 01.07.2017 in Cr. Misc. No. 26255 of 2017, his application was dismissed for non-prosecution. Later, Cr. Misc. No. 34880 of 2017 was filed for restoration of Cr. Misc. No. 26255 of 2017 which was also dismissed for non-prosecution vide order dated 26.07.2017. Again, by order dated 09.05.2018, this Court had not found justification for restoring Cr. Misc. No. 26255 of 2017 and accordingly the said application was also dismissed.

A supplementary affidavit has been filed by the petitioner to the effect that till date the petitioner has not been declared as absconder by the learned Court below.

It is alleged that all the accused persons including the petitioner came at the door of the informant and started abusing her and when the



informant forbade them, they assaulted her with fists and slaps and tried to outrage the modesty of the informant. The accused persons snatched the gold chain of the informant taken away other household articles.

It is submitted by learned counsel for the petitioner that there is general and omnibus allegation against the petitioner. There is counter version of the occurrence also. Moreover, other similarly situated co-accused persons have been granted privilege of anticipatory bail by a co-ordinate bench of this Court vide order dated 29.11.2018 passed in Cr. Misc. No. 42700 of 2018.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each



to the satisfaction of learned Additional Sessions Judge-VI, Patna in connection with Gopalpur P.S. Case No. 19 of 2017, G.R. No. 1064 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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