

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38937 of 2023

Arising Out of PS. Case No.-760 Year-2022 Thana- BANKA District- Banka

PINKU SINGH @ ASTAM KUMAR @ ASHTAM KUMAR S/O ANIL
PRASAD SINGH @ ANIL KUMAR SINGH R/O Old B,Stand Road, Banka,
PS. Banka, Dist. Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Banka PS Case No. 760 of 2022 dated 28.11.2022 registered under Section 341, 323, 354A and 354B of the IPC.

3. As per the First Information Report, on 28-11-2021 in the morning the petitioner entered into the room of the informant, pulled her on the ground and starting disrobing her with intention to commit rape. Upon alarm raised by the informant, the petitioner pressed her neck with intention to kill.

4. Learned counsel for the petitioner submits that there is a tenant landlord dispute between the parties and petitioner is the landlord of the informant. He further submits that on 28/11/2022 the petitioner had objected the illegal activity



of the informant and asked her to vacate the tenanted premises upon which she has lodged a concocted case against the petitioner. The petitioner has also filed a counter case vide Banka PS Case No. 761 of 2022 (Annexure-2).

5. Regard being had to the submission made by the parties, taking into consideration the fact that there is a landlord tenant dispute between the parties, case and counter case is also there and the petitioner is a retired Army Constable, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Banka PS Case No. 760 / 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

U			
---	--	--	--

