

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5075 of 2024

Arising Out of PS. Case No.-1852 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Dilip Kumar Son of Sri Shambhu Prasad R/o vill - Batrauli, P.O. - Mahindwara, P.S. - Runnisaidpur, Dist. - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mina Devi W/o Jatashankar Yadav R/o vill - Batrauli, P.S. - Runnisaidpur, Distt. - Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Advocate Mr. Ajay Kumar Thakur , Advocate Mr. Ritwik Thakur , Advocate
For the Opposite Party/s :		Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 27-08-2024 Heard learned counsel for the petitioner and the State .

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 363 and 376 of the Indian Penal Code .

3. As per the prosecution case , all the F.I.R., named accused persons including this petitioner kidnapped the minor daughter of the informant and committed rape upon her.

4. Learned counsel for the petitioner submits that as a matter of fact, the entire allegations levelled in complaint petition is false and concocted. Police after thorough investigation submitted final form against petitioner. He further



submits that in the year 2003 petitioner has filed a complaint case No. 638 of 2003 against husband of present complainant namely Jatasankar Yadav and said complaint was referred to police on the basis of which Runnisaidpur P S case No. 144 of 2003 was lodged and in retaliation prosecution party has also lodged Runnisaidpur P S Case No. 122 of 2003 against petitioner and others. He further submits that with the intervention of well-wishers the matter has already been compromised in between the parties for which Compromise petition C1 – 1852 of 2016 has been filed in the Court below i. e., Annexure – 8 to the bail petition .

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the fact that matter has already been compromised between both the parties and police after thorough investigation submitted final form against these petitioners, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Sitamarhi in connection with Complaint case No. C1 - 1852 of 2016 subject to



conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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