

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37927 of 2024

Arising Out of PS. Case No.-347 Year-2023 Thana- PARIHAR District- Sitamarhi

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Ram Babu Rai, Son of Late Jagdish Rai R/O Vill.- Vishanpur, P.S.- Parihar,
Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-06-2024 1. Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in anticipation of his

arrest in a case registered for the offences punishable under

Sections 341, 323, 376, 511 and 504 of the Indian Penal

Code.

3. The learned counsel for the petitioner submits

that the petitioner is a person with clean antecedent and is

aged about 69 years and has been falsely implicated in the

instant case by the informant. The learned counsel next

submits that petitioner is brother in-law (Bhainsur) of the

informant, but then, concealing the said relationship, the



instant F.I.R. came to be instituted.

4. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that while she along with her family members were sleeping in their house when the accused persons including the petitioner entered and tried to outrage her modesty, but on alarm, the people started gathering they fled. It is submitted that there is admitted dispute relating to property in between the brothers for which a Title (Partition) Suit No.709 of 2022 has been instituted by the petitioner, which is pending adjudication in the Court of the learned Sub-Judge, Sitamarhi. It is next submitted that in order to coerce the petitioner into submission, the instant false case of attempt to rape came to be instituted concealing the relationship.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the



learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of Sri A. K. Mishra, the learned Judicial Magistrate, 1st Class, Sitamarhi in connection with Parihar P. S. Case No.347 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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