

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71413 of 2023

Arising Out of PS. Case No.-156 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Debu Ray S/O Late Shanichar Ray R/V- Kusaiya, Ps. Warisnagar, Dist. Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamata Devi W/O Late Gopal Krishna Bharati R/V- Gohi, Ps. Warisnagar, Dist. Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar
For the Opposite Party/s	:	Mr.Ram Naresh Ray
For the Informant/s	:	Mr. Surendra Kishore Thakur
		Mrs. Y. Madhavi
		Mr. Subodh Kumar
		Mr. Manjeet Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

3. The petitioner is apprehending his arrest in connection with Complaint Case No. 156 of 2023 dated 31.01.2023 registered for the offences punishable under Sections 323, 379 and 354 of the Indian Penal Code.



4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have snatched Rs. 5,000/- from the complainant and made her nude and tried to commit rape on her.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. There is a delay of four months in lodging the complaint case from the date of occurrence. There is no specific allegation against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The other co-accused person has already been granted bail by this Court *vide* order dated 05.12.2023 passed in Cr. Misc. No. 74315 of 2023.

6. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned,



Samastipur in connection with Complaint Case No.156 of 2023,
subject to conditions as laid down under section 438(2) of the
Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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