

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72807 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- MIRGANJ District- Purnia

Nand Kishore Sah, Son of Late Gurucharan Sah, Resident of Village- Pahar Tol, Ward No. 10, P.S.- Mirganj, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi, Wife of Dhanesar Sah, R/o Village- Pahar Tol, Ward No. 10, P.S.- Mirganj, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Mirganj P.S. Case No. 58 of 2024 registered for the offences punishable under Sections 341, 323, 504, 506, 384, 376 and 511 of the Indian Penal Code.

3. As per prosecution case, the allegation against the petitioner is that he tried to molest and rape the informant.

4. Learned counsel for the petitioner submits that the petitioner is the elder brother of the husband of the informant and due to land dispute, the complainant filed her complaint which was converted into FIR. He further submits that due to influence of some enemies of the petitioner with motive to take revenge from the petitioner, she falsely implicated the petitioner



in the present case. However, later on the informant and petitioner are agreed to enter into compromise and filed compromise petition stating that due to some misunderstanding between the parties, she had filed the complaint case. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation of this case.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Mirganj P.S. Case No. 58 of 2024, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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