

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85825 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- BHAGWANPUR District- Vaishali

Niraj Kumar @ Bataho @ Neeraj Kumar @ Bataha S/O Mahesh Paswan
Resident of village- Simra Khurd, Police Station- Bhagwanpur, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Smita Kumari

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 13-12-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Bhagwanpur Police Station Case No. 155 of 2024,
dated 08.06.2024, disclosing offences punishable under
Sections 376/511/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report,
is that on 05.06.2024 while the informant was sleeping,
the accused persons, including the petitioner, made her
partially nude and when she woke up from her stupor,
they fled away from the room. While fleeing away, they
have been recognized by her brother- in- law and her son.
4. Learned Counsel for the petitioner submits that petitioner



has falsely been implicated due to family dispute. Both the parties are agnates and are residing side by side and there was dispute regarding payment of installment of tractor which was taken on loan by the informant's husband and re-payment to the Bank was made by the petitioner. When petitioner demanded his money back, he has falsely been implicated in the present case. The petitioner is the cousin brother-in-law of the informant. There is delay in lodging the First Information Report as the occurrence has allegedly taken place on 05.06.2024 but the First Information Report has been lodged on 08.06.2024 after three days.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that both the parties are agnates and the petitioner is said to be the cousin brother-in-law of the informant, I am inclined to grant anticipatory bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties



of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Vaishali, at Hajipur, in
connection with Bhagwanpur Police Station Case No. 155
of 2024, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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