

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21302 of 2015

Arising Out of PS.Case No. -187 Year- 2014 Thana -MOTIHARI MUFASIL
District- EAST CHAMPARAN(MOTIHARI)

Binod Sah, Son of Mahangu Sah, Resident of Village - Laxmipur, P.S. -
Muffasil, Motihari, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Mr. S.D. Singh Yadav (APP)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 376, 323, 504 and 506 of the Indian Penal Code.

The prosecution case, in brief, is that the informant
Sakina Khatoon gave a written report to the S.H.O., Mufassil
P.S. alleging therein that her husband resides at Bangalore and
she resides in the village along with four minor children. It is
alleged that the petitioner Binod Sah, who is a criminal minded
person, usually comes in the night hour in her *Foosh* house with
bad intention and on the fear of weapon, he established sexual
relationship with her and threatened her that if she discloses the
matter, he will kill her children. It has further been alleged that
after sexual contact, he demands money from the informant and
on refusal, he used to assault her and threatened her that he will
also kill her husband. The informant apprised about the
occurrence to her husband and when her husband returned

home, then she filed the present case.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.7.2014 and charge sheet has been submitted in the case. It is further submitted that in the absence of husband of the informant, the petitioner and the informant had established physical relationship and subsequently this came to the knowledge of the husband of the informant. For the said reason, the present case has been instituted.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Sub-Divisional Judicial Magistrate, Sadar Motihari, East Champaran, in connection with Motihari Mufassil P.S. Case No.187 of 2014.

(Sudhir Singh, J)

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