

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27228 of 2015

Arising Out of PS.Case No. -796 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Gudari Paswan @ Gudri Paswan Son of Saryug Paswan resident of
village - Kothiya Bharaul, P.S. Bhairav Sthan, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Mahakali Devi W/o Dasai Paswan resident of village - Kothia Bharaul,
P.S. Bhairav Sthan, District - Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Nawal Kishore Prasad(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 21-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case
registered for the offences under sections 447, 323 and 354 of the
Indian Penal Code.

The prosecution case is that when the complainant's
family objected to the sale and consumption of liquor within the
courtyard of the complainant, then the petitioner molested the
complainant while she was sleeping.

It is submitted by the learned counsel for the
petitioner that for the occurrence on 11-9-2013 the complaint was
filed on 13-9-2013 and at earlier point of time the daughter-in-law

of the petitioner lodged Jhanjarpur P.S. Case No. 54/13 against the husband of the complainant leveling accusation for the offences under sections 341, 323, 448, 354, 594 and 34 of the Indian Penal Code. Submission has been made that the petitioner is 70 years old.

Considering the delay in filing the complaint by the complainant, and the fact that the daughter- in- law of the petitioner had lodged F.I.R.at earlier point of time, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jhanjarpur, District Madhubani in TR No. 3624/2014 arising out of Complaint Case No. 796/2013, subject to the conditions as laid down under section 438 of the Cr.P.C.

(Dinesh Kumar Singh, J)

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