

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30453 of 2014

Arising Out of PS.Case No. -574 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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Sanaullah @ Md. Sanaullah son of Late Sk. Fida, R/o village- Brindavan,
P.S.- Sathi, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Indu Kumari Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 21-01-2015 As prayed for, learned counsel for the petitioner is permitted to add the complainant as opposite party no. 2 in course of the day. Since the opposite party no. 2 is represented through her counsel, no notice is required to be issued.

Heard learned counsel for the petitioner and learned counsel representing the complainant.

Petitioner apprehends his arrest in connection with Complaint Case No. 574C of 2013 in which cognizance has been taken under Sections 323 and 354 of the Indian Penal Code.

Allegedly, the petitioner tried to outrage the modesty of the complainant finding her alone and after opening the petticoat and sari tried to commit rape but due to alarm being raised by Arbun Nisha who came for rescue and she also raised

alarm, then the petitioner fled away.

Submission is that the occurrence is of 19.2.2013 and the complaint petition has been filed on 23.2.2013. It is further submitted that the petitioner has lodged a case on 21.2.2013 vide Sathi P.S. Case No. 30 of 2013 in which the complainant, her husband and other persons have been made accused and this case has been lodged as counter blast of the said case, and as such, the petitioner being falsely implicated deserves sympathetic consideration to which the learned counsel for the complainant opposes by submitting that earlier the Police advised for panchayati, and as such, some delay has caused.

In the facts and circumstances stated above, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri A. K. Pathak, J. M. Ist Class, Bettiah, West Champaran in connection with Complaint Case No. 474C of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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