

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40613 of 2015

Arising Out of PS.Case No. -31 Year- 2015 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Prem Kumar Sah
 2. Satish Kumar Both sons of Sheo Pujan Sah residents of Village -
Anandiganj, P.S. - Palanava, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

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

ORAL ORDER

02/ 01-10-2015

It is submitted by learned counsel for the
petitioners that petitioner no. 2 Satish Kumar has been arrested,
hence, his application has become infructuous and accordingly,
it is disposed of.

The petitioner no. 1 is apprehending his
arrest in a case registered for the offences punishable under
Sections 341, 342, 506, 323, 354A, 354B, 354D and 376/511/34
of the Indian Penal Code.

The prosecution case is that the informant
was married with petitioner no. 1 Prem Kumar Sah.
Subsequently the matrimonial relationship went strained and
Paharpur P.S. Case No. 06 of 2015 was lodged by the informant



with accusation under Section 498A of the IPC. It is the further case of the informant is that at 12.00 noon co-accused Satish Kumar attempted to ravish the informant and when the informant made protest co-accused Satish Kumar tied the hands and legs of the informant when she raised alarm the villagers came and rescued the informant.

It is submitted by learned counsel for the petitioner that in the background of the case lodged with accusation under Section 498A of the IPC and Matrimonial Suit No. 197 of 2014 filed by petitioner no. 1 the husband of the informant for divorce on 18.07.2014 there was no question of in-laws intimidating the informant. Moreover, the accusation is not specific against petitioner no. 1.

It is submitted by learned counsel for the informant that in the background of litigated relationship co-accused Satish Kumar tried to ravish the informant.

Considering the accusation being not specific against petitioner no. 1 and for the occurrence of 02.05.2015 the FIR was registered on 06.05.2015, let the above named petitioner no. 1 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

bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Raxaul at Motihari, East Champaran in connection with Mahila (Motihari) P.S. Case No. 31 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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