

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48042 of 2014

Arising Out of PS.Case No. -2368 Year- 2013 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

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MAHANGU RAM S/O LATE NATHUNI RAM RESIDENT OF
VILLAGE - BHEL DUMARA, P.S. - ARA MUFFASIL, DISTRICT -
BHOJPUR.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Murlidhar(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 07-05-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Complaint Case No. 2368 of 2013 for the offence under Section

354 of the Indian Penal Code.

The accusation is that petitioner tried to commit rape

on the informant, Hiramuni Kunwar.

Learned counsel for the petitioner submits that

petitioner happens to be the brother-in-law of the complainant,

Hiramuni Kunwar, and has falsely been implicated in this case due

to land dispute. It is further submitted that after death of brother of

the petitioner informant filed the complaint case bearing

Complaint Case No. 949C of 2013 against the petitioner under Sections 376/511 of the Indian Penal Code in the Court of the Chief Judicial Magistrate, Bhojpur at Ara. The said complaint case was sent under Section 161 (3) Cr.P.C. and Ara Muffasil P.S. Case No. 160 of 2013 was instituted against the petitioner, in which, police submitted final form dated 30.07.2013 finding the case untrue with recommendation to proceed against the complainant under Sections 182 and 211 of the Indian Penal Code. The complainant/informant filed protest petition in which the summoning order has been passed against the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the Court below within a period of four 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 the Chief Judicial Magistrate, Bhojpur at Ara in connection with Complaint Case No. 2368 of 2013, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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