

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19780 of 2015**

Arising Out of PS.Case No. -2209 Year- 2013 Thana -SARAN COMPLAINT CASE District-  
SARAN

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1. Sk. Munna Mian son of Late Adalat Mian resident of village- Harpur Dakkhin Tola., P.S.- Bainapur, District- Saran.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Noorjahan Begum W/o Sri Rasul Mian R/o village- Harpur Dakkhin Tola, P.S.- Bainapur, District- Saran.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Singh  
For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      17-06-2015      Heard both sides.

The petitioner seeks bail in a case registered under  
Section 376 (2) (G) of the Indian Penal Code.

The complainant has alleged that she had taken six kathas  
of land of Dharm Nath Rai on Batai. While she was looking-after  
vegetable crops, the petitioner and Nausad Mian came there and  
committed rape with her on 22.07.2013.

It is submitted that the allegation is false and concocted.  
The complainant is the daughter of Mokhtar Mian. The petitioner  
had filed complaint case No.3479 of 2013 against Mokhtar Mian  
and others, including the complainant, Nurjahan Khatoon. There is  
a land dispute between Mokhtar Mian and Mostt. Moharam

Khatoon. Mokhtar Mian had sold his entire share and that is why the Panches decided to settle Nurjahan Khatoon on some dhurs of land of Mostt. Moharam Khatoon, but got no right to sell the land, on account of such land dispute the petitioner has falsely been implicated in this case.

The occurrence is said to have taken place on 22.7.2013, but the complaint case was filed on 24.7.2013. There is inordinate delay in filing the complaint case.

Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in connection with U.T. No.265/2014, arising out of Complaint Case No.2209/2013.

**(Prabhat Kumar Jha, J)**

V.P.Sinha/-

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