

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38732 of 2015

Arising Out of PS.Case No. -2396 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Kishun Paswan son of Late Dwarika Paswan, Resident of Village-
Dhekanha Goswami Tola, P.S.- Piprakothi, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Mst. Urmila Kuer wife of Late Harish Chandra Sah, resident of village-
Dhekanha, Goswami Tola, P.S.- Piprakothi, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Ram Bachan Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-09-2015 Heard learned counsel for the petitioner and the

State.

The petitioner is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 354 of the Indian Penal Code.

The prosecution case is that on 18.09.2013 the petitioner tried to ravish the complainant in a Maize field.

It is submitted by the learned counsel for the petitioner that for the occurrence of 18.09.2013 the complaint was filed on 23.09.2013 with accusation under Sections 376/511 of the Indian Penal Code, but the learned court below found the prima facie case under Section 354 of the Indian

Penal Code. It is further submitted that due to land dispute the accusation has been levelled. Petitioner is aged about 60 years and statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the delayed lodging of the case, accusation is not supported by any medical opinion and the statement has been made in para-3 of the petition that petitioner has no criminal antecedent, let the above named petitioner be released on 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 Chief Judicial Magistrate, East Champaran in connection with Complaint Case No. C-2396 of 2013, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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