

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41961 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -MAHILA P.S. District- SARAN

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Amit Saini @ Amit Kumar Saini Son of Bishwanath Sah, Resident of
Mohalla-East Dahiyawan, Mission Road, Police Station- Chapra Town,
District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 05-12-2016 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel,

appearing for the informant.

Petitioner seeks bail in a case registered under

Sections-307, 376 & other minor sections of the Indian Penal

Code.

The informant claims that the petitioner used to

sexually exploit her since last two and a half years, when she was

tenant in his house. Subsequently, she left his home and started

residing at a different place but the petitioner again came and

established physical relation with her giving threatening to kill her

children. However, being fed up with behaviour of the petitioner,



she went to lodge complaint to his family members but she was mercilessly, assaulted.

Submission on behalf of the petitioner is that the informant is a major lady and the aforesaid fact goes to show that she was a consenting party. It is further submitted that as a matter of fact, there was some dispute regarding payment of rent and an altercation took place between the parties but the informant at the behest of her husband, lodged this false case with exaggerated story. It is further submitted that moreover, the petitioner is languishing in jail custody since 13-08-2016 and the investigation against him has already been completed.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Mahila P.S. Case No. 10 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran at Chapra.

(Hemant Kumar Srivastava, J)

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