

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28003 of 2016

Arising Out of P.S. Case No. -560 Year- 2015 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

=====

Kiran Mahaldar, S/o Tulsi Mahaldar, R/o village Madhura, P.S. Korha,
District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Mairun Nisha, wife of Md. Ashlam, resident of Village - Mathura,
R.S. Korha, Dist. - Katihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate.
For the Opposite Party/s : Mr. Ramchandra Sahani, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-09-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No. 560/2015 for offence under Section 354 of the Indian
Penal Code.

The complainant made allegation that while she was
all alone in her house, the petitioner and others came. The
petitioner attempted to outrage her modesty. It is submitted that
the occurrence is said to have taken place on 06.03.2015 but the
complaint petition was filed on 10.03.2015. Rani Devi, wife of the
petitioner, lodged Korha P.S. Case No. 49/2015 under Section
376, 511 of the Indian Penal Code against the husband of the
complainant and others for the same occurrence which took place
on 06.03.2015. It is submitted that there is case and counter-case.

Considering the facts that the occurrence took place on 06.03.2015 and the complaint itself was filed after four days of the occurrence although with regard to the same occurrence the wife of the petitioner also lodged an FIR, being Korha P.S. Case No. 49/2015, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri B.B. Rai, Judicial Magistrate, 1st Class, Katihar in Complaint Case No. 560/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

U		T	
---	--	---	--