

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48385 of 2016

Arising Out of PS.Case No. -27 Year- 2016 Thana -MAHILA P.S. District- BANKA

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Md. Aftab Alam @ Aftab, S/o Md. Majrul Haque, resident of village-
Tahirpur, P.S.- Dhoriya, District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhirendra Kumar, Advocate

For the State : Md. Sufiyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-12-2016 Heard both sides.

The petitioner apprehends his arrest in Mahila P.S.
Case No. 27 of 2016 registered under Sections 452, 341, 323,
354(B), 504, 506/34 of the Indian Penal Code and Sections 8/12
of Prevention of Children from Sexual Offences Act.

The informant alleged that the petitioner came on the
roof where she was sleeping with her daughter and tried to
outrage her modesty. On alarm, the petitioner fled away after
jumping from the roof.

The learned counsel for the petitioner submits that
the present occurrence took place on 9.6.2016 for which the
prosecutrix instituted First Information Report after nine days of
the alleged occurrence. Md. Majrul Haque, father of the
petitioner, filed informatory petition on 27.4.2016, alleging



therein that the petitioner may implicate him and his family in false case as the father of the prosecutrix was pressurizing him to marry his son with his daughter. It is further submitted that the prosecutrix filed Complaint Case No. 390 of 2016 for the occurrence dated 9.4.2016 under Sections 376 and 388A of the Indian Penal Code in which she alleged that the petitioner kidnapped her and established physical relation with her on the pretext of solemnizing marriage.

Considering the facts that the prosecutrix filed two cases against the petitioner and prior to that father of the petitioner filed informatory petition that the prosecutrix may implicate his son, 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 the learned Chief Judicial Magistrate, Banka, in connection with Mahila P.S. Case No. 27 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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