

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39671 of 2016

Arising Out of PS.Case No. -2478 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Karpuri Ram S/o Late Rameshwar Ram resident of Village-
Mohammadpur, Turi, P.S. Goraul, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Poonam Devi W/o Shankar Ram resident of Village- Mohammadpur P.S.
Goraul, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 06-10-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No. 2478/2015 filed for the offences punishable under
Sections 376, 511, 323 and 380 of the Indian Penal Code.

The complainant alleged that the petitioner and his
wife entered into her house. The petitioner happens to be the step
elder brother of the husband of the complainant and he entered
into her house at 9.00 PM in the night of 13.07.2015 and made an
attempt to outrage her modesty.

It is submitted that there is a case and counter case.
The wife of the petitioner filed Goraul (Katahara) P.S. Case No.

316/2012. The allegation, of course, appears to be very heinous in nature but the petitioner happens to be own step elder brother of the husband of the complainant and elder brother of the husband of the complainant is socially not supposed to touch the body of the wife of his own younger brother. The wife of the petitioner was also present in the house along with the children and in their presence such occurrence can not happen. Story is not at all believable.

Considering the nature of allegation made against the petitioner and the fact that the petitioner is own step elder brother of the husband of the complainant, the petitioner above named in the event of his arrest or surrender before the 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 Umesh Prasad, Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Complaint Case No. 2478/2015, Corresponding to Tr. No. 1021/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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