

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50666 of 2016

Arising Out of PS.Case No. -24 Year- 2015 Thana -MAHILA P.S. District- LAKHISARAI

Sikandra Sahani

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rajnish Chandra, Advocate.

For the Opposite Party : Mr. Md. S. Haque, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Lakhisarai Mahila P.S. Case No. 24 of 2015 for the offences instituted under Sections 341, 323, 420, 506, 354, 376/511, 467, 468, 472, 452, 417/34 of the IPC and 27 of the Arms Act and the charge sheet has been submitted under Sections 341, 323, 354, 420, 406/34 of the IPC.

The prosecution story, in brief, is that the complainant/informant executed a sale deed in favour of this petitioner for consideration amount of Rs. 1,36,000/- but in the sale deed only consideration amount of Rs. 68,000/- has been



mentioned. When the complainant demanded remaining amount of Rs. 68,000/-, all the accused persons assaulted her and committed rape upon her.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The alleged date of occurrence as per the complaint case/FIR is 25.01.2015. The complaint case was filed on 06.02.2015. The delay has not been explained by the prosecution. The police after investigation did not find the case true for the offence under Sections 376/511 of the IPC. It is further submitted that it is a case of civil dispute between the parties which led to institution of the present case.

On behalf of the State, it has been submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Lakhisarai Mahila P.S. Case No. 24/2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Lakhisarai, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure .

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(Sudhir Singh, J)

