

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49952 of 2015

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

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Basant Kumar Gupta Son of Late Ramdeo Prasad Gupta Resident of
Village - Suryagarha Bazar, P.S. - Suryagarha, District - Lakhisarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ambika Bhagat, Advocate
For the Opposite Party : Mr. A.K. Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 10-02-2016 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 and 417/34 of the Indian Penal Code and Section
27 of the Arms Act.

As per prosecution case that there was negotiation for
purchasing and selling the house of the informant with co-accused
Sikandar Sahani for consideration of Rs.1,36,000/-. The sale deed
was prepared in favour of co-accused Neelam Devi for
consideration of the above amount in respect of house of the
informant. The informant executed the sale deed in favour of the



wife of the above named co-accused. The informant went to the registry office. The document was produced before the Sub-Registrar but payment was not made to the informant. On demand the co-accused and Neelam Devi did not pay the consideration money to the informant. It is also alleged that on 25.01.2015 the informant further demanded the consideration money but she was assaulted by the petitioner and other accused persons and that co-accused also committed rape upon the victim in presence of the co-accused.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. As per the FIR, sale of house had taken place between the informant and the co-accused Sikandar Sahani by way of fraud. Subsequently, Sikandar Sahani is alleged to have committed rape upon the informant. As far as the petitioner is concerned, he is the deed writer of the sale deed in question. Except for that, there is no other allegation against this petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the complaint/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 of 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 CJM, Lakhisarai, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

B.Kr./-

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