

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38925 of 2016

Arising Out of PS.Case No. -1059 Year- 2015 Thana -SARAN COMPLAINT CASE District-
SARAN

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Munna Sah, son of Kapil Dev Sah, resident of Village – Dharahara
Nandpur, P.S. - Manjhi, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi, wife of Ravindra Sah, R/Village - Dharhara, Nandpur, P.S.
Manjhi, District – Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-10-2016 Heard.

The petitioner apprehends his arrest in connection with
Complaint Case No.1059 of 2015/Tr. No.1525 of 2016 registered under
Sections 323, 504 and 354 of the Indian Penal Code.

The allegation of complainant is that she used to reside
alongwith her children at her house and her husband used to reside at
Delhi for livelihood. On 26.04.2015 at about 09.00 P.M., her brother-
in-law Munna Sah (petitioner) entered in house and tried to outrage
modesty and to commit rape on her. When she made complaint, then
her other brothers-in-law Sunil Sah and Laxman Sah started to assault
her.

Learned counsel appearing on behalf of the petitioner submits

that, in fact, the petitioner is the brother-in-law of the complainant and used to reside separate with her. Since the agricultural land is joint, hence, only for the partition of agricultural land, this false case has been lodged by the complainant against the petitioner and his other brothers.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Divya Shekhar, Judicial Magistrate, First Class, Saran at Chapra, in connection with Complaint Case No.1059 of 2015/Tr. No.1525 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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