

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46834 of 2016

Arising Out of PS.Case No. -412 Year- 2016 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Sajjan Bind son of late Tengar Bind, Resident of Village- Saidara Kala, P.S.
Bhabua, District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 13-12-2016 Heard both sides.

The petitioner apprehends his arrest in Bhabua P.S. Case
No. 412/2016, registered for the offences punishable under
Sections 354B, 457 and 379 of the Indian Penal Code.

The prosecutrix alleged that on 15.06.2016 the petitioner
entered into her house at 3.00 a.m. in the night and pressed her
body with intention to outrage her modesty. On alarm the
petitioner fled away with ornaments of the prosecutrix.

Learned counsel for the petitioner submits that
occurrence took place on 15.06.2016, but the F.I.R was lodged on
02.07.2016 i.e., after 17 days of the occurrence. The prosecutrix
earlier filed Complaint Case no. 52/2014 against her husband and
other family members. The prosecutrix also filed Bhabua Mahila



P.S. Case No. 16/15 under Section 376 and 511 of the Indian Penal Code against Basdeo Bind. Basdeo Bind was also made accused in Complaint Case No. 52/14 along with the husband of the prosecutrix. The prosecutrix filed this case making false and frivolous allegation only on account of some land dispute.

Considering the facts aforesaid and the fact that the prosecutrix is in the habit of filing such cases and she filed this case after 17 days of the occurrence without any explanation, 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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 412/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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