

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45677 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -MAHILA P.S BAGHA District-
WESTCHAMPARAN(BETTIAH)

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Rajaram Ram Son of Late Ram Awatar Ram @ Late Muneshwar Ram
Resident of village- Bakunthawa, P.S.- Ram Nagar, District- West
Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Milind Kumar Mishra, Advocate.

For the Opposite Party : Mr. Rajeev Nayan, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-11-2016 Heard both sides.

The petitioner apprehends his arrest in Mahila (Bagaha)
P.S. Case No. 17 of 2016 registered for the offences punishable
under Sections 452, 323, 354B and 506 of the Indian Penal Code.

The prosecutrix alleged that the petitioner made an
attempt to outrage her modesty.

Learned counsel for the petitioner submits that the
entire allegation is false and concocted. The occurrence took place
on 03.01.2016, but the FIR was lodged on 18.03.2016. Prior to
lodging of the present case, the wife of the petitioner filed Bagaha
P.S. Case No. 314 of 2010 against the informant and her husband.
The police after investigation submitted charge sheet under

Sections 341, 323, 504 and 506 of the Indian Penal Code but the court below took cognizance under Section 354B of the Indian Penal Code also.

Having considered the facts that the occurrence took place on 03.01.2016 but the FIR was lodged more than after 2½ months and no plausible explanation is given and there is litigation between both the parties, 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 the Sub-Divisional Judicial Magistrate, Bagaha, West Champaran in Mahila (Bagaha) P.S. Case No. 17 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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