

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9016 of 2017

Arising Out of PS.Case No. -512 Year- 2016 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Irfan Ahmad, Son of Abdul Hamid, Resident of Mohalla- Ansaribag,
P.S.- Aurangabad (Town), District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rubi Parween, Wife of Mustaq Ahmed, Resident of Darzi Mohalla,
Aurangabad, P.S. & District Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey

For the Opposite Party/s : Mr. Sri Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 08-03-2017 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No. 512/2016, registered for the offences punishable under
Sections 448 and 354 of the Indian Penal Code.

The complainant alleged that the petitioner entered
into her house in drunken state and made attempt to rape with her.

Learned counsel for the petitioner submits that the
husband of the complainant was working in the cloth shop of the
petitioner and he cheated the petitioner for which Town P.S. Case
No. 416/2013 was registered under Sections 406 and 420 of the
Indian Penal Code. The complainant, in protest of allegation as



alleged by the petitioner against her husband, lodged Town P.S. Case No. 568/2013 and the police after investigation submitted final form finding the case false against the petitioner. Recommendation was also made for prosecution against the informant under Section 182 and 211 of the Indian Penal Code, *but* the complainant filed protest petition on the basis of which, after enquiry prima-facie case is found against the petitioner.

Considering the facts aforesaid and the fact that the case lodged by the complainant was found false and the recommendation was made to proceed against the complainant, 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 learned Chief Judicial Magistrate, Aurangabad in connection with Complaint Case No. 512/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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