

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23858 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -KARJA District- MUZAFFARPUR

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Shiv Chandra Sahani @ Shiv Chandar Sahani, son of Bhola Sahani, resident
of Village- Bhararah Kalyanpur, P.S. Karja District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Mr. Sakir Ahmad

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

3 13-10-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Karza P.S. Case no. 94 of 2016, registered under Sections 323, 380,
376 and 511 of the Indian Penal Code.

The accusation is that on 09.07.2016 at about 12 O'clock,
petitioner entered in the house of the complainant and attempted to
commit rape upon her. When informant raised alarm then petitioner
fled away.

Learned counsel for the petitioner submits that, in fact,
complainant Anita Devi is the wife of brother of the petitioner and due
to partition of the land, this false case has been lodged. After lodging
of the present case in Panchayat the ancestral property was partitioned
between the petitioner and husband of the informant in which it was



decided to withdraw all the cases pending between them, including the present case.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Muzaffarpur in connection with Kajra P.S. Case No. 94 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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