

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47362 of 2017

Arising Out of PS.Case No. -894 Year- 2015 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Sah Alam @ Alam @ Md. Alam, Son of Noor Mohammad, resident of
Village - Gazi Tola, P.S. - Barari, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sagina Khatoon D/o Late Abdul Based resident of Village Bandh Dabla
Tola, P.S. - Barari, District - Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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

2 06-10-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

C.A. Case No. 894 of 2015, registered under Section 376 of the

Indian Penal Code.

The accusation is petitioner entered in the room of the

complainant and committed rape on her.

Learned counsel for the petitioner submits that, in fact,

on the basis of written report of complainant Barari P.S. Case No.

14 of 2014 was instituted on 05.02.2014 under Section 376 of the

Indian penal Code against the petitioner, but after investigation



police submitted final form finding the case untrue. Thereafter, protest petition of informant treated as Complain Case No. 294 of 2015 in which petitioner is summoned under Section 204 Cr.P.C. finding prima facie case under Section 376 of the Indian Penal Code.

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 six 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 J.M. Ist Class, Katihar, in connection with C.A. Case No. 894 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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