

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6532 of 2017

Arising Out of Case No. -863 Year- 2015 Thana -COMPLAINT CASE District- LAKHISARAI

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Amit Kumar, son of Tilakdhari Mahto, Resident of village- Dighri, P.S.-
Manikpur, District- Lakhisarai.

.... Petitioner/s

Versus

1. State of Bihar
2. Mamta Devi @ Sabo Devi, wife of Niraj Mahto, resident of village-
Abgil Rampur (Hussaina), P.S.- Medni Chauki, District- Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 10-02-2017 Heard learned counsels for the petitioner and the

State.

The petitioner apprehends his arrest in connection
with Complaint Case NO. 863C of 2015 instituted under Sections
323, 376, 379/34 of the Indian Penal Code.

The allegation is that male accused persons of the
relative of the informant raped her while she was lying
unconscious for some period after taking medicines.

It is submitted that due to land dispute, close
relatives have falsely been implicated and even there is no medical
evidence in support of the allegation and the police, after
concluding investigation, did not find involvement of the
petitioner in this case and submitted final form and in view of the



protest petition filed by the informant, the learned Magistrate took cognizance even though police has recorded this fact in the report and the petitioner has no criminal antecedent.

Having considered the aforesaid facts and circumstances, the petitioner, named above, in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Lakhisarai in connection with Complaint Case No. 863 C of 2015; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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