

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14284 of 2017

Arising Out of PS.Case No. -19 Year- 2015 Thana -MAHILA P.S. District- PATNA

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Arun Prasad, aged about 53 years, S/O Late Shri R.N. Prasad, resident of 402, GH 35, MDC, Panchkula, Chandigarh, P.S. Panchkula, MDC, Sector-5.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amlesh Kumar Varma, Advocate.

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

5 28-08-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mahila P.S. Case No. 19 of 2015, registered under Sections 376, 377 and 354(A)/34 of the Indian Penal Code.

The acquisition is that informant, Rani Devi, met to the petitioner, Arun Prasad, Chief Area Manager of L.P.G. Area Office, Ist Floor, Shahi Building, Exhibition Road, Patna at Siwan in the month of December 2014 and ensured her to allot the gas agency in her name in Siwan District. Due to that reason she came in touch with the petitioner. Thereafter, the accused-petitioner called her at Patna for filling up the form for the LPG Distributorship, on which, she reached at



Mithapur Bus Stand, Patna, where the petitioner was present with Maruti car. She boarded in the Maruti car of the petitioner and she was taken at lonely place near Gandhi Maidan. In the way, she was served cold drink and this petitioner put the hand at her breast and kissed her then she made complain and tried to get down to the car but the petitioner assured her that he will not repeat such type of mistake. Thereafter, petitioner took her at lonely place to fill up the form, where 4-5 persons were present, who introducing as Officers of the Indian Oil Corporation, asked that the form for distributorship of gas agency will be filled up in the month of May and assured to give agency in women quota. The informant got impressed with the status of the petitioner and the petitioner taking advantage of that called her many times at Patna and established physical relation with her. When she came to know that the period of filling up of form has been expired, then she came to Patna on 10.06.2015 and reached at about 12 A.M. at the office of the petitioner situated at Ist Floor, Shahi Building, Exhibition Road, Patna, where petitioner again showed his desire for natural and unnatural sex but she refused, on which, petitioner threatened her of dire consequences. As such, on the pretext for providing L.P.G.



Gas Agency, the petitioner established physical relation with her and indulged in unnatural sex with her at several occasions.

Learned counsel for the petitioner submits that, in fact, petitioner being the Chief Area Manager of L.P.G. Area office, Patna imposed fine of Rs.2,16,707/- to the L.P.G. Distributor-M/S Gauri Shankar Indane, Kuchaikote, on 04.11.2014 due to irregularities as detected in distribution in between 04.07.2014 to 01.08.2014 in the inspection. Due to that reasons proprietor of M/S Gauri Shankar Indan, Luchaikote, got managed to lodge the present case against the petitioner only to give undue pressure. It is further submitted that while it is alleged in the F.I.R. that informant visited at the office of the petitioner on 10.06.2015 at 12 A.M. but it would appear from Annexure 4, the photocopy of register of visitors of the office shows that one Reema Rani of Siwan visited in the office and she put signature in English in column no. 10 but in column no. 2 there is interpolation in the name. Where as the informant in present case has put her thumb impression on the written report on 12.06.2015, on which basis, Mahila P.S. Case No. 19 of 2015, is instituted after four days on 16.06.2015, under Sections 376, 377 and 354(A)/34



of the Indian Penal Code. Further submission is that it has come in paragraph 91 of the case diary that in the visitors register kept in the office of Indian Oil Corporation Ltd (MD), Indane Area office, Patna, at serial no. 3, on 10.06.2015, the name of Reema Devi is detailed in column no. 2 and signature in column no. 2 is also detailed in English as Reema Devi but there is interpolation in the name of inserting the name as Renu Devi. Further submission is that while in the written report of informant date has been mentioned as 12.06.2015 but the F.I.R. has been lodged after four days on 16.06.2015 of Mahila Police Station, Patna.

Learned counsel for the informant submits that the informant has supported the prosecution case in her statement recorded under Section 164 Cr.P.C. as detailed in paragraph 14 of the case diary.

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 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 Judicial Magistrate Ist Class, Patna, in connection with Mahila P.S. Case No. 19



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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