

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27864 of 2017

Arising Out of PS.Case No. -60 Year- 2016 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

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1. Vinod Singh S/o - Late Baidya Nath Singh R/o Village - Chhotki Patti,
Bar-gaon, P.S. - Bagaha, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 20-07-2017

Heard both sides.

The petitioner apprehends his arrest in Bagaha Mahila P.S. Case No. 60 of 2016, registered for the offences punishable under Sections 452 and 354 of the Indian Penal Code.

The informant alleged that on 22.12.2016 her husband had gone to Bettiah and he did not return in the night. Binod Singh her co-villager finding her alone entered into her house and caught her hand with intention to outrage her modesty.

Learned counsel for the petitioner submits that the informant of the present case is wife of younger brother of the petitioner. Prior to institution of this case the petitioner filed Bagaha P.S. Case No. 486 of 2016 under Section 379 and other Sections of the Indian Penal Code against Munna Singh, the husband of the informant and, thereafter the informant filed this case making false and frivolous



allegation. The police after investigation submitted charge sheet under Section 504 of the Indian Penal Code but learned Sub-Divisional Judicial Magistrate, Bagaha, West Champaran took cognizance under Section 354 and other Sections of the Indian Penal Code. There is a series of litigation between the two sides.

It appears that the petitioner is non-else than elder brother of the husband of the informant. Prior to institution of the present case the petitioner lodged Bagaha P.S. Case No. 486 of 2016 against the husband of the informant. There is land dispute between the parties.

Considering the facts aforesaid 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 learned Sub-Divisional Judicial Magistrate, Bagaha, West Champaran in Bagaha Mahila P.S. Case No. 60 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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