

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35955 of 2018

Arising Out of PS. Case No.-293 Year-2017 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Kundan Kumar Jha, Son of Sri Prabhunath Jha, Resident of Village-
Kamlabari, P.S.- Bisfi, District- Madhubani.

... .. Petitioner

Versus

1. The State of Bihar.
2. Soni Devi, Wife of Chandan Kumar Jha and Daughter of Mohan Jha, Resident of Village- Ranipur, P.S. - Benipatti, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-06-2018 Heard learned counsels for the petitioner and State.

The petitioner being the brother of the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323 and 341 of the IPC.

The prosecution case is that the accused persons used to torture the informant. It is specifically alleged against this petitioner that he used to outrage the modesty of the complainant.

It is submitted by learned counsel for the petitioner that this is the second case with similar accusation as in the earlier



case, the complainant entered into compromise with her husband wherein there was no accusation that the petitioner ever tried to outrage the modesty of the complainant. However, learned Magistrate, while issuing process, has not taken cognizance under Section 354B of the IPC. Thrust of accusation is against the husband of the complainant and in the earlier case, the petitioner is on bail.

Considering the thrust of accusation against the husband of the complainant, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Benipatti (Madhubani) in connection with C.R. No. 293 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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