

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65442 of 2018

Arising Out of PS. Case No.-176 Year-2018 Thana- BARHARIA District- Siwan

Rajendra Sah Son of Late Satya Narayan Sah Resident of Village-Nabiganj
(Chai Tola), P.S. Barharia, Distt.-Siwan

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Reema Devi Wife of Dharmendra Kumar Resident of Village-Nabiganj (Chai Tola), P.S. Barharia, Distt.-Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar
For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 314, 315, 354A, 354B, 380, 427, 323, 504 and 506/34 of the Indian Penal Code.

The prosecution case as per the Complaint Case No. 241 of 2018 filed by Rima Devi before the learned Chief Judicial Magistrate, Siwan which ultimately got registered as police case after the complaint being transferred in police case in exercise of jurisdiction under Section 156(3) Cr.P.C., is to the effect that that on 28.01.2018 at 9.00 A.M., all the accused persons came at the door of the informant and assaulted the informant on the abdomen when she was carrying pregnancy at



advanced stage, and outraged the modesty of the informant and when the other in-laws tried to save the informant, the accused persons also assaulted them.

It is submitted by learned counsel for the petitioner that a complaint was made by the petitioner before the Sarpanch of the Panchayat on 24.01.2018 against the informant and hence, as a retaliatory measure, the present case has been lodged against the petitioner. It is further submitted that for the occurrence of 28.01.2018, the complaint was filed on 01.02.2018 which came to be registered as police case on 12.06.2018 and it is further submitted that there is no injury report on the record.

Learned APP submits that the accusation is specific against the petitioner.

Considering the delayed lodging of the complaint and the fact that the complaint was lodged by the petitioner at earlier point of time, let the above named petitioner be released on anticipatory bail in the event of arrest or 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with



Barharia P.S. Case No. 176 of 2018, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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