

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2982 of 2019

Arising Out of PS. Case No.-1056 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Amjad Mian son of Mahroom Ishmail Mian Resident of Village- Chand Saraiya, P.S.- Piparkothi, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Robina Khatoon Wasir Mian
Resident of Village- Chand Saraiya, P.S.- Piparkothi, District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-03-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.1056 of 2018 and Trial No.276 of 2018 , registered for offences punishable under Sections 376 and 511 of the Indian Penal Code.

Allegation against the petitioner is that the husband of the complainant has two wives, both are living separately and the petitioner is next door neighbour of the complainant, he used to give allurement to the complainant in order to establish sexual relation and on the day of occurrence, the petitioner caught hold to the complainant, dashed her on the ground and tried to commit rape upon her.



Submission of the learned counsel for the petitioner is that earlier to that a case under Section 376/506 of the IPC had been lodged by the petitioner against the son and husband of the complainant and due to that the petitioner has falsely been implicated in his case.

Heard learned A.P.P. also.

Having heard both sides and considering the nature of allegation, let the provisional bail earlier granted to the petitioner, vide order dated 23.01.2019 passed in Cr. Misc. No.2982 of 2019, is hereby affirmed.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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