

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21733 of 2019

Arising Out of PS. Case No.-1334 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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Md. Sagir, Son of Late Noor Mohammad, Resident of Mohalla- Murarpur
Mani Road Kalisthan, P.S.- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mazhabi Khatoon Wife of Md. Shabir, Resident of Mohalla- Murarpur Mani
Road kalisthan, P.S.- Kotwali, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-04-2019 Heard learned counsels for the petitioner and the

State.

The petitioner 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 354 and 379 of the IPC.

The prosecution case, as per the complaint petition, is that on 16.07.2018 at 4 A.M., when the complainant went outside to ease, co-accused, Guddu, Shahid and the petitioner tried to outrage the modesty of the complainant. It is specifically alleged that co-accused Rubi snatched a gold chain from the neck of the complainant whereas, co-accused Guddu pushed the



complainant on the ground and tried to ravish her.

It is submitted by learned counsel for the petitioner that the complainant is the agnate of the petitioner and both reside in a common house. It is further alleged that the in the background of land dispute, the petitioner has been roped in the present case, as prior to the lodging of the present complaint, the police recommended for initiation of a proceeding under Section 107 of the Cr. P.C. Moreover, for the alleged occurrence of 16.07.2018, the complaint was filed on 19.07.2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that accusation against the petitioner is specific.

Considering the nature of accusation being levelled in the background of land dispute, delayed filing of the complaint petition and the accusation not being corroborated by any medical opinion, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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 ACJM-XIII, Gaya in connection with Complaint Case
No. 1334 of 2018, 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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