

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 112 of 2020

Arising Out of PS. Case No.-246 Year-2019 Thana- MUNGER COMPLAINT CASE
District- Munger

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SUDHAKAR SINGH, Son of Deepnarayan Singh, Resident of Village-
Mohammadpur, Police Station-Tarapur, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi, Daughter of Pampal Singh, and Wife of Om Veer Singh,
Resident of Village-Chhoti Keshopur, Dharhara Road, Police Station-
Jamalpur, Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sushil Kumar Singh
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
504, 354/34 of the Indian Penal Code.

Prosecution case is that as per complaint petition
complainant namely Usha Devi on 12.03.2019 at about 8.00 pm
she was gossiping with her family members, all of a sudden,
petitioner along with other accused variously armed, entered in
her house and accused no. 1 namely Deep Narain Singh asked
her to marry her son, who is Railway Employee, with the girl of
his choice because that girl is good and he has good relation



with the family of that girl. The complainant, who is own sister of the accused no. 1 told that at present she is not going to marry her son because her husband is not well upon which accused no. 2 namely Meena Devi if she does not get her son married according to her desire then she will not get any share in the ancestral property and also implicate her in false case. Other accused also threatened her to implicate her and her husband as well as son in a case to be lodged by the that girl. When the complainant protested then all the accused including the petitioner started abusing and accused no. 2 Meena Devi and accused no. 4 Nibha Devi @ Nibha Kumari ordered to rape her after removing her saree then petitioner, in order to outrage her modesty, got the complainant fall on the ground by catching her hand and hair and also assaulted her. On protest raised by the witnesses, the petitioner and other accused persons went away from there threatening with dire consequences.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He also submits that the son of complainant was married with sister of accused no. 4 namely Nibha Devi @ Nibha Kumari and after marriage demanded Rs. 10 lac and tortured her for which Maila P.S. Case no. 14 of 2019 was lodged and only



with a view to save skin, this case has been lodged. The petitioner has got no criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Chief Judicial Magistrate, Munger in connection with Complaint Case No. 246C of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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