

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75784 of 2023

Arising Out of PS. Case No.-746 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Santosh Sah @ Santosh Kumar Sah Son Of Hazari Sah Resident Of Village-
Noneya Turha Tola, Ps- Paharpur, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Saroj Devi W/O Manoj Sah R/O Vill - Noneya Turha Tola, P.S. - Paharpur,
Distt. - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-12-2023 Learned counsel for the petitioner is permitted to remove
the defect(s), as pointed out by the office, if any, within a period of
three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in
connection with Complaint Case No. 746 of 2023 (Trial No. 2253 of
2023) dated 27.03.2023 registered for the offence/s punishable u/ss
323, 341, 354A, 376 and 511 of the Indian Penal Code.

4. As per the prosecution case, when the complainant went
to her land of maize plant, in the meantime, the petitioner outraged
her modesty and tried to commit rape on her.

5. Learned counsel for the petitioner has submitted that



the petitioner has falsely been implicated in this case. Learned counsel has further submitted that earlier the wife of the petitioner filed a complaint case against the husband of the complainant and due to that reason the present complaint was filed against the petitioner. Learned counsel has further submitted that the alleged occurrence took place in the day light at about 10 AM when several people were working in the nearby field. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Motihari, East Champaran in connection with Complaint Case No. 746 of 2023 (Trial No. 2253 of 2023), subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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