

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54712 of 2015

Arising Out of PS.Case No. -378 Year- 2015 Thana -SIWAN CITY District- SIWAN

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1. Prashant Tiwari Son of Rajendra Tiwari, resident of Village- Dakshin Tola, P.S. Nagar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Sheela Pandey

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-12-2015 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The accusation against petitioner is that he, having entered the house of informant, made attempt to establish physical relation with her but when he could not succeed, he bite the cheek and lip of the informant and assaulted one, Shailendra Pandey with Danda. The injured Shailendra Pandey has sustained simple injury and so far as informant is concerned; two injuries were found on her cheek and lips respectively.

The contention on behalf of the petitioner is that the parties have already settled their dispute amicably outside the court and as a matter of fact, an altercation had taken place between the parties and moreover, even if, prosecution story

assumed to be true, then also, at best, it is a case of Section-354 of the Indian Penal Code, for which, petitioner has already remained in judicial custody since 23-08-2015.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, let the petitioner named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Nagar P.S. Case No. 378 of 2015 to the satisfaction of Chief Judicial Magistrate, Siwan.

(Hemant Kumar Srivastava, J)

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