

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17197 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -HALSI District- LAKHISARAI

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1. Somar Bind Son of Late Pairu Bind Resident of village - Satsanda, P.S.
Halsi, District - Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sahin Begum(App)

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

3 30-07-2015 Heard.

Let the petitioner surrender and pray for regular bail before J.M. Ist Class, Lakhisarai in connection with Halsi P.S.Case No.42 of 2015 under Sections 448, 354, 341 and 323 of the Indian Penal Code. The Court below shall consider that prior to being amended some times in the year 2013, the provision of Section 354 of the Indian Penal Code was bailable and the amendment was brought about considering certain instances of serious cases of rape and murder having taken place in different parts of the country especially in the National Capital Region of Delhi.

Here in the present case, all offences except Section 354 Indian Penal Code are bailable and the submission was that

the mere allegation that the petitioner had attempted to drag the daughter of the informant by holding her hand does not indicate that there was an intent in the mind of the petitioner to outrage her modesty.. It was for the purpose of probably assaulting her with knife.

The Court believes that the learned Judicial Magistrate Ist Class, Lakhisarai who shall handle the prayer for regular bail of the petitioner shall appreciate the observations of this Court and pass an appropriate order in favour of the petitioner as and when he surrenders before him.

With the above observations, this petition stands disposed of.

(Dharnidhar Jha, J)

B.Kr./-

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