

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26701 of 2015

Arising Out of PS.Case No. -97 Year- 2014 Thana -ASARGANJ District- MUNGER

1. Md. Shamshad Son of Late Enaul Haq resident of village - Bhatheri,
Police Station - Asarganj, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Asha Devi(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 341, 323, 354 and 376/34 of the Indian Penal Code.

The prosecution story, in brief, is that informant Ruby Praveen is 19 years of age. On 7.11.2014 at 9 P.M. while she was going to attend Milad the accused Chhotu who happens to be brother-in-law of Md. Shamshad her co-villager and who had come to the house of his sister, along with his Bahnoi Shamshad caught hold of her hand with bad intention at a lonely place in the village and started ragging her to Bahiar. When she made protest they slapped and pushed her. When Chhotu wanted to make her lie on the ground she raised alarm and on arrival of villagers both fled

away.

It has been submitted on behalf of the petitioner that the present case was instituted for the offence under Section 354 and other Sections of the Indian Penal Code but subsequently after a period of one month Section 376 of the Indian Penal Code was added on the statement of the brother of the victim. It is further submitted that no specific allegation has been made against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger, in Asarganj P.S.Case No. 97 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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