

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28528 of 2015

Arising Out of PS.Case No. -24 Year- 2015 Thana -BARIYARPUR District- MUNGER

1. Bijay Paswan son of Narsingh Paswan resident of village Hospital Tola,
Police Station Bariyarpur, 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. D.P.Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 23.07.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Bariyarpur P. S. case no. 24/2015 registered under sections 341, 323,
504, 354 and 379 of the Indian Penal Code.

Petitioner happens to be elder brother-in-law of the
informant and accusation against him is that he entered into the room
of the informant and attempted to outrage her modesty and also
snatched her ornaments.

The contention on behalf of the petitioner is that petitioner
had purchased a house in which husband of the informant was
residing and when petitioner requested the husband of the informant to
vacate the aforesaid house, a dispute arose between the parties
resulting institution of several cases including partition suit as well as
criminal case.

It is further contended on behalf of the petitioner that story of theft appears to be super-addition and so far as section 354 of the Indian Penal Code is concerned, the same is bailable in nature.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger in Bariyarpur P. S. case no. 24/2015 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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