IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35643 of 2014

Arising Out of PS.Case No. -22 Year- 2013 Thana -SHIWAPATHI District- MUZAFFARPUR

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1. Vinod Pandit Son of Late Chulhai Pandit Resident of village- Banghara, P.S.- Siwaipatti, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Mr. Ashok Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 08-04-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner apprehends his arrest in connection with Siwaipatti P.S. Case No. 22 of 2013 registered for the offences punishable under Sections 323, 451, 506, 376, 511/34 of the Indian Penal Code.

Allegedly, co-accused Ram Babu Sahani used to commit sexual assault with the daughter of the informant and on 18.2.2013, in the night, Ram Babu Sahani entered into the house of the informant and when her daughter raised alarm then her son tried to catch Ram Babu Sahani, then the petitioner and Ram Babu Sahani assaulted her son and caused threats.

Submission is of false implication and that against

the petitioner there is no allegation under Sections 376/511 of the Indian Penal Code and the name of the petitioner has been dragged as the driver of Ram Babu Sahani. Moreover, Ram Babu Sahani faced trial and has been acquitted, and as such, the petitioner deserves sympathetic consideration to which the learned APP opposes.

Certified copy of judgment of Sessions Trial No. 818 of 2-14 along with deposition of the witnesses have been filed by the learned counsel for the petitioner which has been taken on record.

In the facts and circumstances stated above, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., East Muzaffarpur in connection with Siwaipatti P.S. Case No. 22 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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