

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28727 of 2015

Arising Out of PS.Case No. -199 Year- 2014 Thana -NANHPUR District- SITAMARHI

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Md. Neyaj @ Neyaz son of Md. Daut R/o village - Budh Nagra, P.S. -
Nanpur, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Lallan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2015

The petitioner is apprehending his arrest in Nanpur

P.S. Case No.199 of 2014 for the offences instituted under

Sections 341, 323, 324, 376/511, 379, 504 and 506/34 of the I.P.C.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The prosecution case, in brief, is that on 14.06.2014
when the informant had gone to attend the call of nature in the
night in the garden where the petitioner caught hold her and put
her down on the earth with bad intention. She raised alarm on
which her family members assembled thereafter the petitioner fled
away. On the next day family members of the informant apprised
Mukhiya of the incident and a panchayati was called upon which
the petitioner and his family members became enraged and having
armed with forming unlawful assembly attacked the house of the
informant and assaulted the family members of the informant. The

petitioner armed with pistol gave threatening of dire consequences and perpetuating the same act.

It is submitted on behalf of the petitioner that as per the prosecution the alleged date of occurrence is 14.6.2014 but the same was instituted on 1.7.2014. No explanation in respect of the delay in filing the F.I.R. has been shown on behalf of the prosecution. It is further submitted that there is admitted land dispute between the parties on account of which the petitioner has been falsely implicated in the present case. Petitioner has got no criminal antecedent.

On behalf of the State it is submitted that the petitioner has been named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M., Sitamarhi, in Nanpur P.S. Case No.199 of 2014 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sudhir Singh, J)

AnilKrSinha/-

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