

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47527 of 2015

Arising Out of PS.Case No. -155 Year- 2015 Thana -BHAWANIPUR District- PURNEA

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Ajay Kumar Son of Yogendra Thakur, R/o Village- Bhawanipur Sudama
Nagar, P.S.- Bhawanipur, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3 09-11-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in
Bhawanipur P.S. Case No. 155 of 2015 dated 23.07.2015
instituted under Sections 458/354/323/147/34 of the Indian
Penal Code.

The petitioner is accused of touching the
informant and offering her Rs. 500/- to keep mum while the
other men numbering 25-35, had reached the place of
occurrence and assaulted and dragged away the informant.

Learned counsel for the petitioner submits
that from the plain reading of the F.I.R., the only allegation is
that he had touched the body of the informant but there is no
explanation as to how at 11.00 P.M. in night the petitioner
had entered the room of the informant as it cannot be believed
that the same was left open. It is further submitted that the

petitioner is next door neighbour having a tea shop and due to dispute regarding dirty water flowing from the house of the informant, there was free fight between both sides for which there is a counter case also. It is submitted that the petitioner has clean antecedent.

Learned A.P.P. submits that as per the allegation the petitioner did touch the body of the informant.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in Bhawanipur P.S. Case No. 155 of 2015, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

P. Kumar

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