

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5199 of 2015

Arising Out of PS.Case No. -289 Year- 2014 Thana -KUCHAIKOTE District- GOPALGANJ

1. Subhash Prasad Son of Hira Sah Resident of vill+P.S-Kuchaikote,Distt.-Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish Giri

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.P.P.)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 09-02-2015

Heard both sides.

The petitioner seeks bail in Kuchaikote P.S. Case No. 289 of 2014 registered under section 307 and other allied sections of the Indian Penal Code and 3(1)(X) of the SC/ST Act. .

The complainant alleged that the petitioner at the time of her appointment in the year 2008 as Mamta Worker annexed forged document with regard to her educational qualification and tried to sexually exploit her. It is further alleged that her service was terminated and she filed a writ petition. One Uday Shankar also filed writ application. Thereafter inquiry was held and an order was passed. While the informant was going to her house petitioner assaulted her.

Learned counsel for the petitioner submits that

the informant has complained of sexual harassment since 2008-2009 but she did not even lodge the case. It would appear from the perusal of annexure-2 that Uday Shankar the accused no.2 filed C.W.J.C. No. 18850 of 2012. In pursuance of the order passed in the aforesaid writ petition first information report was ordered to be lodged and thereafter the complainant filed this case making false allegation.

It appears that the informant lodged the case making allegation that the petitioner sexually exploited since 2008 but it appears that the informant filed the case on 26.08.2014. The case was filed only after the order of Civil Surgeon as contained in memo No. 1030 of 2014 by which the first information report was ordered to be lodged for submitting forged document.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Gopallganj in Kuchaikote P.S. Case No. 289 of 2014.

(Prabhat Kumar Jha, J)

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