

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3996 of 2015

Arising Out of PS.Case No. -103 Year- 2012 Thana -SC SC PS District- VAISHALI(HAJIPUR)

1. Kedar Rai S/O Late Ram Pratap Rai Resident of vill-Ghanshyampur,P.S-Aurai,Distt-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Rai, Advocate.

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 29-01-2015 Heard both sides.

The petitioner apprehends his arrest in Hajipur SC/ST P.S. Case No. 103 of 2012, registered for the offences punishable under Sections 376/511 and other Sections of the Indian Penal Code and 3(i)(x)(xi) of the SC/ST Act.

The informant made allegation that the petitioner made an attempt to outrage her modesty and also abused her by naming her caste.

Learned counsel for the petitioner submits that the occurrence is said to have taken place on 21.02.2012, but the case was registered on 14.03.2012 and no explanation is offered for such inordinate delay. The police after investigation submitted final form finding the allegations false and recommended for

initiation of prosecution against the informant under Sections 182/211 of the Indian Penal Code, but the learned Chief Judicial Magistrate took cognizance.

Having considered the facts aforesaid and the fact that the police submitted final form finding the allegations false, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Amit Kumar Dixit, the learned Judicial Magistrate- 1st Class, Muzaffarpur in connection with Hajipur SC/ST P.S. Case No. 103 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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