

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50132 of 2014

Arising Out of PS.Case No. -24 Year- 2014 Thana -GHOSI District- JEHANABAD

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Dr. Kamlesh Yadav @ Dr. Kamlesh Kumar, son of Ramjee Yadav @
Ramjee Prasad, resident of village - Allahganj, Police Station -
Makhdumpur, District – Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kumar, Advocate.

For the Opposite Party : Mr. Ram Bachan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 10-04-2015 Heard both sides.

Petitioner apprehends his arrest in a case in connection
with Ghosi P.S. Case No. 24 of 2014 under Section 376/511 of the
I.P.C.

The petitioner and his compounder Chandan Kumar are
alleged to have caught the hand of the prosecutrix in order to
outrage her modesty.

It is submitted that the police after investigation found
the accusation against the petitioner false and the petitioner was
not sent up for trial. The police submitted final form finding the
case true only against Chandan Kumar but the learned court below
took cognizance against the petitioner also.

On the other hand, learned counsel for the informant submits that the victim made her statement under Section 164 Cr. P.C. It appears that the police after investigation did not found case true against the petitioner but on the basis of the statement made under Section 164 Cr. P.C., the learned court below also took cognizance against the petitioner.

Considering the facts aforesaid, the petitioner above named, is directed to be released on bail, in the event of his arrest or surrender before the learned Court below within four weeks from the date of receipt/production of a copy of the order on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad, in connection with Ghosi P.S. Case No. 24 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

U.K./-

(Prabhat Kumar Jha, J)

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