

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23936 of 2015

Arising Out of PS.Case No. -667 Year- 2014 Thana -PHULWARI District- PATNA

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Chandan Kumar @ Juary son of Late Lala Singh @ Mithilesh Sharma
resident of Village - Biranchak, P.S. - Janipur, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pravin Kumar, Advocate

For the Opposite Party : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-06-2015 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with
Phulwarisharif (Janipur) P.S. Case No.667 of 2014 for the
offences punishable under Sections 448, 341, 323, 354, 504 and
506 of the Indian Penal Code.

The prosecution story, in brief, is that with an intention
to grab the land, the husband of the informant has been killed and
when no case was registered in this regard, she filed Cr.W.J.C.
No. 984 of 2014 and as per direction of the Hon'ble Court,
Janipur P.S. Case No. 624 of 2013 under Sections 369, 201, 120B
/34 of the I.P.C. was registered and in the said case, accused
Kamlesh Sharma was granted bail. It is alleged that thereafter the
petitioner who is nephew (Bhatija) of said Kamlesh Sharma is



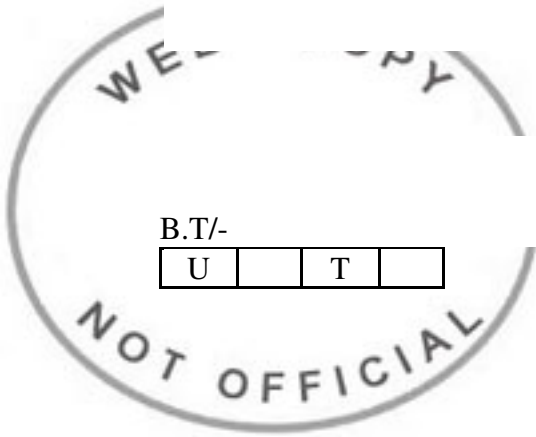
threatening with dire consequences and also to kidnap her three daughters. On 13.10.2014 while her two daughters had gone to their school and she was sitting alone in the house, petitioner entered into her house and started to commit indecent behaviour with her and also started to tease her with a bad intention and to outrage her modesty. Anyhow the informant fled away from the clutch of the petitioner and started making hulla. It is alleged that when the informant was coming out from her house, the petitioner threatened her with dire consequences.

It has been submitted on behalf of the petitioner that as per the prosecution case, date of occurrence is 13.10.2014 whereas the present case has been instituted on 21.10.2014. However, the prosecution has not explained the delay. Further it has been submitted that the petitioner has got no criminal antecedent and he is in custody since 10.04.2015.

On behalf of the State, it has been submitted that the petitioner is named in the first information report though the prosecution has not explained the delay in instituting the FIR.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Jyoti

Prakash, Judicial Magistrate, Ist Class, Patna in connection with
Phulwarisharif (Janipur) P.S. Case No.667 of 2014.



(Sudhir Singh, J)