

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27108 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -RAJAULI District- NAWADA
=====

Ashish Kumar son of Balak Ram resident of village - Salempur, P.S.
Rajauli, Dist - Nawada.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party
=====

Appearance :

For the Petitioner : Mr. Gauri Shankar Prasad

For the Opposite Party : Mr. C.Sen Pd.Singh(App)
=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 376, 511, 341, 323, 379 and 504/34 of
the Indian Penal Code.

It is alleged by the informant that on 20.1.1.2014 at
about 5 P.M. the informant went towards Badhar for attending call
of nature and on person covering with a Chadar came near at Pyne
chasing her and caught her and pushed her down who is petitioner.
The informant came to her house and narrated the facts to her
husband Karu Ram and when her husband went to the house of the
petitioner, his family members started abusing him and accused
Balak Ram came out having sword in his hand and inflicted it on
the head of her husband causing head injury.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The informant is own aunt of the petitioner. She has filed the present case as there is dispute in respect to partition of the house. For the same occurrence, a Complaint Case No.1892 of 2014 has been filed where the informant in her solemn affirmation has not made any allegation of rape against the petitioner. The present case has been filed after inordinate delay of twenty four days from the date of occurrence.

On behalf of the State and counsel for the Informant, it has been submitted that there is specific allegation against the petitioner.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nawada in connection with Rajauli P.S.Case No.13 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

B.Kr./-

(Sudhir Singh, J)

U		T	
---	--	---	--