

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54079 of 2015

Arising Out of PS.Case No. -138 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Jagarnath Sahani S/o Vishwanath Sahani R/o Village - Jhitkahiya, P.S. -
Sadar (Lakhaura) District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Harendra Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 30-11-2015 Heard learned counsel for the petitioner and the
State.

Petitioner had earlier moved this Court for grant of
anticipatory bail, which was rejected, is apprehending his
arrest in a case registered for the offences punishable under
Sections 341, 342, 323, 354, 294, 379, 376, 511/34 of the
Indian Penal Code.

The prosecution case is that the petitioners tried to
outrage the modesty of the informant. On protest being made,
the accused persons assaulted the husband of the informant
and snatched Rs. 25,000/- from his pocket.

It is submitted by the learned counsel for the
petitioner that even assuming the accusation, no offence under
Section 376 is made out and now the informant has retracted

from her initial version.

Considering the fact that earlier bail application of the petitioner has been rejected, this Court is not inclined to entertain the bail application.

In view of the retracted version of the informant and the fact that other co-accused persons have been granted bail, it is a case for consideration of prayer for regular bail of the petitioner, if he surrenders before the learned court below within a period of six weeks from today in connection with Mufassil (Lakhaura) P.S. Case No. 138 of 2014, pending in the court of learned Sub-Divisional Judicial Magistrate, Sadar East Champaran at Motihari.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

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