

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.642 of 2016

Arising Out of PS.Case No. -125 Year- 2014 Thana -GAMAHARIYA District- MADHEPURA

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1. Shankar Mukhiya S/o Late Harihar Mukhiya, resident of Village- Gandhi Nagar, Ekepraha, P.S.- Gamharia, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s Mr. Hirday Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 11.01.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner is said to have made attempt to remove **Salwar** of the informant who appears to be minor girl, having entered into her house but submission on behalf of the petitioner is that no such occurrence, as alleged in the first information report, did ever take place and, as a matter of fact, present case has been lodged at the behest of enemies of the petitioner. It is further submitted on behalf of the petitioner that petitioner is in jail custody since 4.9.2015 and moreover, even if, the prosecution story assumed to be true, then also, at best, a case of section 354 of the Indian Penal Code is made out.

Considering the period of detention of the petitioner in jail custody as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri S.K. Singh,

Judicial Magistrate, Ist Class, Madhepura/ concerned court in
Gamharia P.S. Case no. 125/2014.

shahid

(Hemant Kumar Srivastava,J)

