

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41601 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

Havaldar Uday Shankar Singh @ Uday Shankar Singh, Son of Sri Shyam Bihari Singh, Resident of B.M.P. Dehri, P.S.-Dehri, District-Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shruti Sinha, Advocate

For the Opposite Party/s : Sri Sadanand Paswan, Spl.PP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 25-10-2016 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Mahila P.S. Case No.41 of 2016 for allegedly having committed the offence under Sections 354,509 of the Indian Penal Code and Sections 3(i)(xi)3(i)w(i)(ii) of the S.C./S.T. Act.

Learned counsel appearing on behalf of the petitioner submits that though initially there was no allegation under Section 3(i)(xi) of the S.C./S.T. Act, yet thereafter the matter is alleged to have been made more complex by adding the said provisions so as to rope in the present petitioner. The offence as described by the two complainants/lady police personnel is

not clear and distinct and it is merely of indecent behaviour. Furthermore, no case under Section 3(i)(xi) of the S.C./S.T. Act is made out.

Considering the aforementioned facts and circumstances, there being no witness to support the case and the petitioner being a Havildar, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas, Sasaram, in connection with Mahila P.S. Case No.41 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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