

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44942 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -BAUSI District- ARARIA

=====

Kariya @ Md. Kariya, S/o Md. Taslim Resident of Village- Durgapur Kujarahi,
P.S.- Bausi District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the State : Mr. Uday Pratap Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-10-2016

Heard learned counsel for the parties.

The petitioner apprehends arrest in connection with
Bausi P.S. Case No. 26 of 2016 dated 23.03.2016 instituted under
Sections 341/323/354/354(B)/34 of the Indian Penal Code.

The allegation against the petitioner, along with
another co-accused, is of making the informant semi naked after
pinning her down on the ground and thrashing her.

Learned counsel for the petitioner submits that the
allegation against him is patently false and fabricated as there was
dispute with regard to cutting of maize by the informant from the
field of the father of the petitioner due to which there was hot-talk
and this false case has been lodged. It is submitted that the story is
unbelievable inasmuch as, if two persons had already caught the
informant and pinned her on the ground and torn her sari, during the

entire time she would not raise alarm, and did so only when she became naked and the petitioner and other accused ran away from the filed. It is submitted that the entire story is false and concocted. Learned counsel submits that the petitioner has no criminal antecedent.

Learned A.P.P. submits that there is allegation of assault upon the petitioner.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in Bausi P.S. Case No. 26 of 2016, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

Anand Kr.

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