

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5540 of 2016

Arising Out of PS.Case No. -224 Year- 2015 Thana -UCHAKAGAON District- GOPALGANJ

1. Mandeo Tiwari Son of Sri Byas Tiwari Resident of village - Penula
Khas, P.S. Uchkagaon, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Dr. Ravindra Kumar (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 15-02-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present case, i.e., Uchkagaon P.S.Case No. 224 of 2015, was registered on the basis of compliant case filed by the complainant/informant on 6.10.2015 in respect of the occurrence which took place on 29.08.2015. The complainant/informant claims himself to be an eye witness of the alleged occurrence but it is surprising enough that even being an eye witness he took such a long time to file complaint case in respect of the alleged occurrence. Moreover, the victim, who was a married lady at the time of alleged occurrence, returned to her home and made her statement under section 164 of the Cr.P.C in which she stated a different story. However, the statement of victim reflects that it

was petitioner who dropped her when the present case was lodged.

The contention on behalf of the petitioner is that the prosecution has not come with clean hands and, as a matter of fact, there was something fishy in the prosecution story.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate- IX, Gopalganj in connection with Uchkagaon P.S.Case No. 224 of 2015.

(Hemant Kumar Srivastava, J)

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