

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20614 of 2016

Arising Out of PS.Case No. -2774 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Alakh Kumar Yadav @ Alakh Yadav Son of Hari Nandan Yadav Resident
of Village Bodha Chhapar PS+District Gopalganj.

.... Petitioner

Versus

1. The State of Bihar.
2. Shivrath Kushwaha S/o late Ram Bachan Kushwaha R/o Village Bidha,
Chhapra PS Gopalpur District Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Dhramveer, Advocate.

For the Opposite Parties : Mr. Dinesh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 03-08-2016 Heard both sides.

The petitioner apprehends his arrest in Trial No. 66 of 2016 arising out of Complaint Case No. 2774 of 2014, registered for the offences punishable under Sections 323 and 354 of the Indian Penal Code.

The complainant alleged that the petitioner and three accused persons scaled over his roof and tried to outrage the modesty, but on alarm the accused persons fled away.

It is submitted that none of the witness has supported the case of the complainant. Even the victim Punam Kumari did not state in her statement that the petitioner made any attempt to outrage her modesty. The victim raised alarm seeing the petitioner

scaling over the roof. Other witnesses are not the eye witness of the occurrence. C.W. 2 Chotelal Yadav stated that he did not see the occurrence. The case is compromised.

Considering the facts aforesaid and the fact that the case is compromised, 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in Trial No. 66 of 2016 arising out of Complaint Case No. 2774 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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