

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30935 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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Khairati Mian @ Khairati Miya son of Suleman resident of Village-
Purainiya , P.S.- Darpa, District-East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 341, 324, 307 and 354 of the Indian Penal Code but Chargesheet has been submitted under Sections 341, 324, 307 and 354 of the Indian Penal Code and Sections 8 and 10 of the POSCO Act.

Allegation is that while informant was going to give lunch to her brother, on the way the accused person caught hold of her and gave a knife blow on her private part.

It has been submitted on behalf of the petitioner that he is in custody since 7.3.2016. Chargesheet has been submitted against the petitioner. He has got no criminal antecedent. No allegation of tampering of witnesses is alleged against the petitioner. Petitioner is not named in the F.I.R. After a period of one and half month brother of the victim caught hold of the petitioner and surrendered him before the police. Petitioner has not been put on T.I.P. to ascertain his involvement in the present case.

On behalf of the State, it is submitted that name of the

petitioner has come in course of investigation when brother of the victim in para-28 of the case diary has stated that it is the petitioner who had assaulted with knife upon the victim.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, same is rejected at this stage.

(Sudhir Singh, J)

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