

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51885 of 2016

Arising Out of PS.Case No. -284 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-SITAMARHI

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Jitendra Kumar Paswan, Son of Upendra Paswan, resident of village - Majhaura, P.S. - Riga, District - Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.
2. Yashoda Devi wife of Nagendra Paswan resident of village - Majhaura, P.S. - Riga, District - Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Vijay Kumar Mishra, Advocate.
For the State : Mr. Sri Manoj Kumar – 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-12-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Complaint Case No. C-1/284/2013 for the offences instituted under Sections 323, 448, 504 of the IPC and 3/4 of the Dian Act.

The prosecution story, in brief, is that the petitioner and others forcibly entered into the house of the complainant armed with Lathi and Danda. Co-accused Jitendra Kumar Paswan told her as Dian because she has done witch craft to his daughter and also administered night-soil to her. On protest, all assaulted her with Lathi, Danda, fists and kicks and made her naked. This petitioner also administered night-soil to the complainant as a result of which, she started vomiting. It is further stated that the nearby people came then they fled away.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. There is contradiction between the complaint petition and S.A. of the complainant. No specific allegation has been made by the complainant in her S.A. against the petitioner. There is admitted enmity between the parties.

On behalf of the State, it has been submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. C-1/284/2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-cum-Sub Judge-V, Sitamarhi, corresponding to Trial No. 1726 of 2016/4816 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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