

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44400 of 2016

Arising Out of PS.Case No. -355 Year- 2015 Thana -PATRAKARNAGAR District- PATNA

=====

Raman Kumar Mishra Son of Late Maheshwar Mishra, resident of Village
+ P.O.- Narayanpur, P.S.- Bihpur, District- Bhagalpur, presently residing at
Plot No. 106, Hope Apartment, Indrapuri Cololny, Road No.1, Shekhpura,
P.S.- Shastrinagar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 22-10-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Patrakar Nagar P.S. Case No. 355 of 2015 registered under
Sections 448, 323, 341, 504, 376 and 511 of the Indian Penal
Code.

The accusation is that the petitioner, being the friend
of the informant, came at the house of the informant on
23.11.2015 at about 3:30 pm. The children opened the door and
the petitioner sat in the drawing room, while he was inside the
room for some purpose. After sometimes, wife of the petitioner
came and started talking. In the meantime, the petitioner tried to



outrage her modesty and commit rape then the wife of the informant raised *hulla*. Thereafter, informant reached there and saw this petitioner was in objectionable position. He made protest then petitioner abused him and pressed his neck. In that course, informant caused blood oozing injury at his ear. Thereafter, the compounder was called for dressing at her house as petitioner refused to go to Hospital, but anyhow, the neighbour rushed to him at the hospital while the car of the petitioner was in his apartment.

Learned counsel appearing on behalf of the petitioner submits that in fact, the petitioner and the informant are employee in the same office and due to preparing of wrong budget of the office by the informant, petitioner made protest in which informant tried to negotiate the matter and called the petitioner at his house. When the petitioner went to his house, hot talks were exchanged and petitioner was assaulted by informant regarding which Patrakar Nagar P.S. Case No. 354 of 2015 was instituted under Section 341, 323, 307, 34 and 324 of the I.P.C. Due to counter blast of the said case, the informant lodged the present case on 24.11.2015 with false allegation.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the

event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Patna in connection with Patrakar Nagar P.S. Case No. 355 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

Shail/-

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