

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16703 of 2016

Arising Out of PS.Case No. -185 Year- 2015 Thana -NAWINAGAR District- AURANGABAD

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1. Munna Tiwari @ Mukesh Tiwari son of Ashok Tiwari resident of Village
Murli Belaie, P.S. Navinagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Krishna Sinha

For the Opposite Party/s : Mr. Madhuri Lata(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 27-04-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is said to have assaulted the informant's wife and tried to outrage her modesty but submission on behalf of the petitioner is that the informant's wife sustained simple injury and, moreover, police registered the case for the offences punishable under sections 376 and 511, 341, 323, 307/34 of the Indian Penal Code and 3 (x) (i) of the SC/ST (Prevention of Atrocities) Act but, as a matter of fact, there is no allegation of attempt of rape and, therefore, the case under section 376 read with section 511 of the Indian Penal code is not made out. The application of the offence under the SC/ST (Prevention of Atrocities) Act is also doubtful.

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 learned Additional Chief Judicial Magistrate, Aurangabad in connection with Navinagar P.S.Case No. 185 of 2015.

(Hemant Kumar Srivastava, J)

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