

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20538 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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1. Gulsan Kumar Son of Raj Kumar Singh, Resident of Village- Basan Bigha, P.S.- Khijarsarai, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Chandra Shekhar

For the Opposite Party/s : Mr. Arun Kumar Singh No.-5 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 354A,306,427 and 504/34 of the Indian Penal Code.

The prosecution case is that on 24.1.2016 in the morning the wife of the informant saw condom with vulgar words. Earlier also the petitioner, co accused Govind Kumar and Kundan Kumar being co-tenants in the said building, used to tease the wife of the informant with vulgar words. The informant made complain to the landlord but the accused persons did not mend their ways. Wife of the informant made attempt to commit suicide by hanging herself but with the help of neighbour she could be saved.

It is submitted by the learned counsel for the petitioner

that even assuming the accusation no offence under section 306 IPC is made out as actually the wife of the informant did not commit suicide rather from the accusation, a case under section 309 IPC is made out. There is nothing on record to suggest that actually the petitioner and others used to tease the wife of the informant. It is further submitted that similarly situated co accused Kundan Kumar has been granted bail vide Cr. Misc. no. 13464 of 2016. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve 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 learned CJM, Gaya in connection with Mufassil P.S. Case No. 32 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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