

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32742 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -MAHILA P.S. District- SAHARSA

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Dilip Kumar Thakur @ Dilip Thakur Son of late Durganand Thakur,
Resident of Village - Mahishi, P.S. Mahishi, District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 354, 504 and 506/34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant being School Teacher of N.P. School, Chaura used to attend the class and when she in course of travelling passes from lonely path, the petitioner used to whisper indecent language with ill motive, which she oftenly ignored only with prestigious view, for which she had made complaint but in vain. It is further alleged that on 26.3.2016 at 8.30 A.M. while she was going to school with some registers and document, then the accused forcibly torn it and also



gave threatening of dire consequences.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Prior to institution of the F.I.R., the petitioner had filed a complaint against the informant, who is the Principal of the School, with the allegation of misappropriation of funds of the School. The same is evident from his complaint dated 20.7.2015, 18.9.2015, which are part of Annexure-2 series. Ultimately on the basis of the complaint made by the petitioner, the Superior Officer took action and then passed orders vide Annexure-6 to the present application dated 18.12.2015 for institution of the F.I.R. against the informant. The present case was filed on 10.4.2016 only with a reason to put pressure upon the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned Judicial Magistrate, 1st class,
Saharsa in connection with Saharsa Mahila P.S. case No.26 of
2016, subject to the conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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