

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8326 of 2016

Arising Out of PS.Case No. -426 Year- 2015 Thana -FORBESGANJ District- ARRARIA

1. Jitendra Narayan Pandey @ Tuntun Pandey , son of Late Devendra Narayan Pandey, resident of Village- Tiraskund, P.S. Forbesganj, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-03-2016 Heard learned counsel for the petitioner and the Special P. P. for the State.

The petitioner apprehends his arrest in connection with Forbesganj P. S. Case No. 426/2015 registered for offences punishable under Sections 457, 380, 511, 504 and 506/34 of the I.P.C. and 3 (x) (xi) of the SC/ST Act.

The petitioner along with other co-accused entered in the house of the informant on 20.08.2015 at 12.00 P.M. while he was sleeping with her husband and three minor children, he attempted to outrage her modesty and also took away valuable articles. On hulla, some people gathered and arranged a Panchayati where the opinion was divided and no settlement could be reached.

It has been submitted by the learned counsel for the petitioner that it was on the basis of personal enmity against co-

accused Punyanand Baitha, the other co-accused who had filed Complaint Case No. 2490/2015 against the informant and his family members, petitioner has been falsely implicated. He has a clean antecedent and the F.I.R. has been lodged after much delay which causes suspicion as to the alleged occurrence.

It has further been submitted that other co-accused has since been granted privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 57481 of 2015 dated 06.01.2016 on similar allegations.

Be that as it may, let the petitioner, namely Jitendra Narayan Pandey @ Tuntun Pandey in case of arrest or surrender within a period of eight weeks from today before the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S.Case No. 426/2015, subject to the conditions as laid down under section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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