

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48258 of 2015

Arising out of PS.Case No. -33 Year- 2015 Thana -ARA MUFFSIL District- BHOJPUR

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Ankish Kumar, Son of Ramjee Choudhary, resident of Dhamar, Police Station - Arah Muffasil, District - Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjay Kumar Singh, Advocate.

For the Opposite Party : Mr. Dr. M.K.Gautam(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Arrah Mufasil P.S. Case No. 33 of 2015 for the offences instituted under Sections 323, 447, 379, 504, 354(B) and 34 of the IPC.

The prosecution story, in brief, is that the petitioner alongwith other co-accused persons entered into her house, abused her and assaulted her with iron rod. Further allegation against the petitioner is that he tore the blouse of the informant with wrong intention.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is an admitted

land dispute between the parties. The informant is none else but aunt of the petitioner and they reside in the same courtyard. The allegation of sexually abusing the informant is merely ornamental. It is not expected that any nephew will sexually abuse his own aunt.

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

Considering the aforesaid facts and circumstances that there is an admitted land dispute between the parties and both the parties are members of the same family, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Arrah Mufassil P.S. Case No. 33/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Arrah, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)