

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5323 of 2017

Arising Out of PS.Case No. -190 Year- 2016 Thana -HASPURA District- AURANGABAD

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1. Rajesh Kumar, Son of Bihari Mahto, Resident of Village-Etawa (Ahiyapur), P.S. Haspura, District-Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017 Heard the parties.

This application has been filed in connection with Haspura P.S.Case No.190 of 2016 for the offence under Sections 341, 323, 354, 379 & 504 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is allegation against the petitioner that he has abused the informant and tried to take away her “Dupatta” and offered Rs.1,000/- for sitting along with him on the Motorcycle and when the person assembled to save the informant, they were assaulted by the fist and slaps and there is one more allegation against the petitioner that he has snatched the gold ear ring. It is further submitted that the petitioner has been falsely implicated in this case due to the fact that he was a candidate in the election of the Gram Pradhan.

Heard learned A.P.P. also, who has opposed the prayer for



bail.

Having heard both sides. Allegation is that he tried to take ‘Dupatta’ of the girl and insisted her to sit on the Motorcycle as well as assaulted only by fist and slaps and there is no overt act, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of SDJM, Daudnagar, Aurangabad in connection with Haspura P.S.Case No.190 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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