

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54875 of 2016

Arising Out of PS.Case No. -387 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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Jitendra Nath Tiwari, Son of Shri Siya Ram Tiwari, Resident of village -
Sahebganj Butabnari, P.S. Chapra Town, District - Saran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Sr. Advocate
and Mr. Anuj Kumar, Advocate.

For the Opposite Party : Mr. Sri Surendra Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2017 Heard learned counsels for the petitioner, informant and

learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Chapra Town P.S. Case No. 387 of 2016 for the offences
instituted under Sections 448, 341, 323, 376/511, 354 and 506 of
the IPC.

The prosecution story, in brief, is that the petitioner
entered into the shop of the informant and tried to commit rape
upon her and when she opposed then he assaulted on her face by
means of fists and slaps. On hulla raised by her, the people of the
locality came and saved her.

It has been submitted on behalf of the petitioner that the



petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The alleged date of occurrence is 16.08.2016. The case has been instituted on 20.08.2016. The delay has not been explained on behalf of the prosecution. The informant happened to be the tenant of the petitioner. Due to payment of rent there was a dispute which led to institution of the present case.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 Chapra Town P.S. Case No. 387/2016 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., Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)