

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10887 of 2017

Arising Out of PS.Case No. -35 Year- 2016 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Heeralal Thakur Son of Ganesh Thakur Resident of Village- Siswa,
Maldahiya, Police Station- Paharpur, District- East Champaram.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party : Mr. Satyendra Narayan Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 05-05-2017 Heard both sides.

The petitioner seeks bail in Paharpur P.S. Case No. 35 of 2016 registered for the offences punishable under Sections 376 and 511 of the Indian Penal Code.

The informant alleged that on 03.02.2016, the petitioner and one unknown made an attempt to outrage her modesty and they also torn her garments.

Learned counsel for the petitioner submits that the occurrence took place on 03.02.2016 but, the FIR was lodged on 10.02.2016. The petitioner is own brother of the husband of the informant. Prior to the present case, the daughter of the informant lodged Paharpur P.S. Case No. 40 of 2016 against the petitioner, his two sons and the father of the petitioner. The true facts are that



father of the petitioner lodged Complaint Case No. 350 of 2016 alleging therein that the husband of the informant took away his younger brother who is still traceless and that is why the informant and her daughter filed false and frivolous cases.

On the other hand, learned counsel for the informant and learned APP opposed the prayer for bail and submitted that the police found the case true and submitted charge sheet.

It appears that the informant is non-else than the wife of the brother of the petitioner. Prior to the present case, the daughter of the informant filed Paharpur P.S. Case No. 40 of 2016 against the petitioner, his two sons and the father of the petitioner.

Considering the facts aforesaid the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in Paharpur P.S. Case No. 35 of 2016.

(Prabhat Kumar Jha, J.)

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