

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16315 of 2017

Arising Out of PS.Case No. -234 Year- 2015 Thana -BATHNAHA District- SITAMARHI

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Upendra Singh S/o Late Ram Khelawan Singh, Resident of Village-
Rupauli, P.S. Bathnaha, District Sitamarhi.

.... Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner : Mr. Dinesh Jha, Advocate.

For the Opposite Party : Mr. Manish Kumar 2, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-05-2017 Heard both sides.

The petitioner apprehends his arrest in Bathnaha P.S.
Case No. 234 of 2015 registered for the offences punishable under
Sections 354, 354(A) and 354(B) of the Indian Penal Code.

The informant filed the complaint case alleging therein
that on 23.06.2015 and on 13.07.2015 the petitioner kissed her and
pressed her breast. It is alleged that the petitioner bites her and
forced her to sit on his thigh.

Learned counsel for the petitioner submits that the
occurrence took place on 13.07.2015 but, the informant filed
complaint case on 21.07.2015. The complaint was sent to police
station for institution and investigation. The police after
investigation submitted final form finding the case false but, the



learned Judicial Magistrate, Sitamarhi took cognizance under Section 354 of the Indian Penal Code. The true facts are that the petitioner was brutally assaulted by Rajkumar, Vijay Singh and Roshani Devi, the informant. Rajkumar and Vijay Singh are husband and son of Roshani Devi. On the same day i.e. 13.07.2015, the petitioner lodged Bathnaha P.S. Case No. 176 of 2015 under Section 307 and other Sections of the Indian Penal Code. Thereafter, the informant filed the case making false and concocted story.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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, Sitamarhi in Bathnaha P.S. Case No. 234 of 2015, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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