

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30961 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -MAHILA PS District- KHAGARIA

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Manoj Kumar S/o Mohan Prasad R/o Village- Bhutauli, Malpa, P.S.-
Chautham, District- Khagaira at Present Dhanwati High School, Bhutauli
Malpa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Syed Mohammad Shabbir Alam, Advocate

For the Opposite Party: Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Khagaria (Mahila) P.S. Case No. 12 of 2016, registered for
the offences punishable under Sections 354, 504 and 506 of the
Indian Penal Code.

Allegedly, the allegation against the petitioner is that
he being the orderly of the Dhanabati High School, Bhutauli,
Malpa, abused the informant a teacher of History of the that
school and dragged her out from the office and further locked the
bathroom and preventing the informant from using the same.

Submission is of false implication and that there was
some dispute between them but the petitioner has not dragged her.



During investigation, witnesses have not supported the prosecution version vide para 9 and 10 of the case diary, no offence under Section 354 of I.P.C. is made out and at best offence under Section 504 of I.P.C. is made out which is bailable and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. after going through the case diary, fairly submits that Sarita Kumari and Anita Kumari other teachers have not supported the prosecution version in toto.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Khagaria, in connection with Khagaria (Mahila) P.S. Case No. 12 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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