

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53300 of 2016

Arising Out of PS.Case No. -135 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

=====

Deepu Kumar @ Tipu Kumar, Son of Amiri Lal Sah, Resident of Village-
Hat Saraiya, P.S.-Bairiya, District-West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr. Uday Pratap Singh

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

3 10-01-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Bairiya P.S. Case no. 135 of 2016, registered under Sections 147, 148,
149, 323, 325, 354, 509 and 308 of the Indian Penal Code and Section
10 of the Protection of Children from Sexual Offences Act, 2012.

The accusation is that the informant was teased by this
petitioner in course of her returning from tuition centre. Thereafter,
informant narrated the occurrence to her father and brother. When
father and brother of the informant made complaint to the family
members of the petitioner then on 07.06.2015, this petitioner
threatened to her father and brother on their cell phone. On 09.06.2016
at 8.30 A.M. the petitioner and others surrounded Ujjawal Kumar,
brother of the informant and gave threatening that he has taken



photographs of his sister (Informant), which would be transmitted on the internet. Thereafter, petitioner and other named in the F.I.R. came armed with lathi and danda and on the order of the Parmanand Sah, Rajkumar caused injury to Roushan Kumar, brother of the informant. When Ujjawal Kumar, brother of the informant, and her father came to save then they were also assaulted by the petitioner and others.

Learned counsel for the petitioner submits that it would appear from the F.I.R itself that the occurrence of teasing with the informant took place on 07.06.2015, but no complaint was made in this regard. Further submission is that, in fact, on 09.06.2016 the petitioner was assaulted by the father and the brothers of the informant regarding which on the basis of fardbeyan recorded on 09.06.2016 at M.J.K. Hospital, Bettiah Bairiya P.S. Case No. 134 of 2016 under Sections 341, 342, 147, 148, 149, 323, 324, 325, 379 and 307 of I.P.C. was instituted against brothers and father of the informant of the present case and only to give undue pressure the present case has been lodged regarding the occurrence of 07.06.2015, 09.06.2016 on 20.06.2016 with false allegation of teaching with informant by this petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction



of the A.D.J-1st, Bettiah in connection with Bairiya P.S. Case No.135 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

