

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55867 of 2018

Arising Out of PS. Case No.-384 Year-2017 Thana- BODHGAYA District- Gaya

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Upendra Paswan @ Rai Jee, S/o Late Ram Jatan Ram, Resident of Mohallah-
Kali Asthan, P.S.- Belaganj, District- Gaya, Presently residing at House of
Anita Devi, W/o Mahendru Paswan, Village- Hathiya, P.O. & P.S.- Bodh
Gaya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Singh

For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 448, 341, 323, 376, 511 of the I.P.C. as
well as Section 8 of the POSCO Act and 37(a) of the Bihar
Prohibition and Excise Act, 2016.

Prosecution case, in short, is that the petitioner in drunken
state assaulted and outraged the informant's daughter.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 19.06.2017 and has got no criminal
antecedent. Charge sheet/prosecution report has been submitted
in this case. There is no allegation of tampering of witnesses
alleged against the petitioner. The petitioner has remained in



custody for more than a year. As per the allegation, the petitioner in drunken state had tried to misbehave with informant's daughter. Same is mistake/error of fact. There is no recovery of liquor in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st-cum-Special Judge (POSCO Act), Gaya in connection with POSCO case No.48 of 2017 arising out of Bodh Gaya P.S. case No.384 of 2017.

(Sudhir Singh, J)

Narendra/-

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