

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40687 of 2018

Arising Out of P.S.Case No. -16 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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1. Dhananjay Sharan @ Chotu S/o Shri Shambhu Sharan Sharma, R/o B-29,
Bankman Colony, Chitragupta Nagar, P.S.- Patrakar Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rima Shahi D/o Late Dr. Vinod Kumar Shahi , R/o Moh- Brahampur,
Sanjay Cinema Road, P.S.- Brahampura, Distt.- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint P.S.Case No. 280 of 2016 arising out of Brahampura P.S.Case nO.280 of 2015, registered for offences punishable under Sections 323,379, 380, 384, 447, 448, 504, 506/34 of the Indian Penal Code and Sections 7 11, 14,1 6 of the POCSO Act.

Allegation against the petitioner is that he entered inside the house of the complainant and harassed the informant and also forced the complainant to sign on blank paper.

Submission of the learned counsel for the petitioner is that earlier the petitioner had filed a case against the informant and civil suit is also going on and also a large number of cases are going on between the parties and due to that the present false and concocted case has been lodged.



Heard learned A.P.P. and the learned counsel for the informant. Earlier notice was issued to O.P.No.2 and the service report shows that O.P.no.2 has received notice but refused to grant receipt. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st, Nawada in connection with Complaint Case No.16 of 2016 arising out of Brahmpura P.S.Case no.280 of 2015 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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