

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24587 of 2018**

Arising Out of PS.Case No. -12 Year- 2017 Thana -HISUA District- NAWADA

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1. Bipul Kumar S/o Upendra Singh Resident of Village-Bhelwa, P.S.-Hisua  
District-Nawada

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Sri Ahmad Ali

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

2      30-04-2018

In this application, the petitioner apprehends his arrest in connection with Hisua P.S. Case No. 12 of 2017 for the offences punishable under Sections 341, 323, 324, 447, 504, 354/34 of the Indian Penal Code.

Allegedly, when the informant was washing cloth near the drain of her house then the petitioner entered into her house and caught her hands and when the informant cried, he started assaulting her.

Submission is of false implication and that all the sections are bailable except Section 354 IPC, which is not attracted against this petitioner as there was no any intention to outrage the modesty of the informant. The petitioner is handicapped by right hand. Petitioner has been granted bail by the



police under Section 41(A) Cr.P.C. but now cognizance has been taken under Section 354 IPC and, as such, the petitioner having no criminal antecedent, deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

Considering the facts that there is no allegation against the petitioner for catching the hand of the informant with bad intention and, as such, the petitioner in case of his arrest or surrender within four weeks from the date of receipt or production of a copy of this order, he shall be released on bail on execution of bail bond of Rs 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Nawada in Hisua P.S. Case No. 12 of 2017 subject to the conditions as laid down in Section 438(2).

**(Jitendra Mohan Sharma, J)**

sushma/-

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