

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39195 of 2018

Arising Out of PS.Case No. -2 Year- 2016 Thana -KIHIRI MORE District- PATNA

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1. Ram Binay Tiwary @ Vinay Tiwary, Son of Late Girja Tiwary,
Resident of Village- Taranpur, Police Station- Khiri More, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Kumar

Mr. Uma Shankar

For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 06-07-2018

Heard both sides.

The petitioner apprehends his arrest in Khiri More P.S.

Case No.2 of 2016 registered under Sections 341, 323, 379, 448,
504 and 354 of the Indian Penal Code.

The informant alleged that while she was lying on her bed, the petitioner entered into her house and tried to outrage her modesty. The informant objected, on such, the petitioner is alleged to have assaulted her with the butt of gun. The informant became unconscious. The children who were outside the house raised the alarm and many villagers came.

The learned counsel for the petitioner submits that all the allegations are false and concocted. The informant filed Title



Suit No.28 of 2016 executed by Gopal Tiwari in favour of the petitioner, Jag Narayan Yadav and Dinesh Singh for declaration of sale deed as null and void. Gopal Tiwari executed the sale deed. The informant wanted to grab the land that is why she filed the case. The police did not find the case true under Section 379 I.P.C.

Taking into consideration the facts that there is a land dispute between the informant and the petitioner for which Title Suit No.28 of 2016 is filed by the informant in which the petitioner is defendant No.1, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged 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 Additional Chief Judicial Magistrate III, Danapur, Patna in connection with Khiri More P.S. Case No.2 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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