

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52448 of 2018

Arising Out of PS.Case No. -13 Year- 2018 Thana -MAHILA PS District- JEHANABAD

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Mukesh Kumar, S/o Umesh Singh, Residence of Village- Mera Bigha,
P.O.+P.S.- Ghoshi, Dist- Jehanabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nitya Nand Neeraj, Advocate.

For the Opposite Party : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-09-2018

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 342, 323, 354(B), 506/34 of the IPC and 8 of POSCO Act.

The prosecution story, in brief, is that in the evening of 25.03.2018 when the informant went to graze grass, this petitioner came from behind, groped pulled her. *Dupatta* with intent to commit wrong, tried to take her on a lonely place. She cried then her brother came and this petitioner was apprehended by her brother. This petitioner was taken by her brother to his home then other co-accused persons named in the FIR abused and assaulted her.

It has been submitted by learned counsel for the



petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The present case is outburst of Annexure-2. A case was instituted by brother of this petitioner against the family members of the informant of the present case on 27.03.2018 relating to an occurrence dated 25.03.2018. The present case has been instituted on 01.04.2018 in respect to an offence taken place on 25.03.2018. Delay has not been explained by the prosecution.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1st, Jehanabad, in connection with Jehanabad Mahila P.S. Case No. 13/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)