

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2093 of 2019

Arising Out of PS. Case No.-409 Year-2018 Thana- MAIRWAN District- Siwan

Vicky Chauhan @ Vicky Kumar Chauhan, s/o Bharat Chauhan, r/o vill-
Chhotka Manjha, PS- Mairwa, Dist-Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Sri Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-01-2019 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks regular bail in connection
with Mairwa PS case no. 409 of 2018 registered for the offence
punishable under Sections 447, 380, 511, 354, 323 of Indian
Penal Code.

The allegation in the present case is regarding the
accused-petitioner having entered the house of the informant
with intention to commit theft and outrage her modesty,
however the informant woke up after she heard the noise of
breaking of box by the accused-petitioner, whereafter the
father-in-law of the informant caught hold of the petitioner
whereupon the petitioner had hit the father-in-law of the
informant with stick.



The learned counsel for the petitioner submits that the petitioner is innocent and there is no allegation of outraging the modesty of the informant and infact, the entire allegation is cooked-up with ulterior motive. It is further submitted that no recovery has been made from the conscious possession of the petitioner. Lastly, it is submitted that the petitioner is having a clean antecedent and he is languishing in custody since 19.10.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Mairwa PS case no. 409 of 2018.

(Mohit Kumar Shah, J)

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