

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 18970 of 2020

Arising Out of PS. Case No.-122 Year-2019 Thana- CHERIYA BARIYARPUR District-Begusarai
=====

Gulab Kumar @ Gulab Kumar Mahato @ Gulab, Son of Baro Bhagart @ Ram Varan Mahato,
Resident of Village – Gopalpur, P.S. Cheriya Bariyarpur, District -Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

02 20-07-2020

Heard Mr. Manoj Kumar Singh, learned Advocate for the petitioner and Mr. Nityanand, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Cheriya Bariarpur P.S. Case No. 122 of 2019 dated 14.08.2019 instituted for the offences under Sections 452, 354(B), 354(D) and 34 of the Indian Penal Code.

The petitioner and another are alleged to have entered the house of the informant with evil intention and are also alleged to have made attempt of outraging the modesty of the informant in the past. One of the co-accused person of this case viz. Lalbabu also threatened to kill the child of the informant.



The learned counsel for the petitioner has submitted that only because there is enmity with the informant from the past, he has been made accused in this case. In fact, it has been argued, no such occurrence ever took place; rather a dispute regarding drainage and passage has resulted in the present prosecution.

It has also been submitted on behalf of the petitioner that the informant is related to the S.H.O. of the Cheria Bariarpur Police Station and, therefore, all efforts have been made to implicate the petitioner in this case. In support of the aforesaid contention, it has been urged, that though the occurrence is said to have taken place on 12.08.2019, but the report regarding the same was lodged only on 14.08.2019.

Regard being had to the aforesaid facts, the petitioner is directed to be released on bail, in the event of his arrest/surrender before the court below within a period of six weeks, on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Maujhaul, Begusarai in connection with Cheriya Bariarpur P.S. Case No. 122 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

U T

