

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33360 of 2021

Arising Out of PS. Case No.-515 Year-2020 Thana- NAUBATPUR District- Patna

DEEPAK KUMAR @ KAMLESH KUMAR Son of Baiju Das Resident of
Village - Silver Dagar, P.S.- Naubatpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha
For the Opposite Party/s : Mr. Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 341, 342,
323, 354B, 354A/34 of the Indian Penal Code.

The accusation against the petitioner is that he
called the informant at Bihta Sarmera road near Mahmadali
Chak where she found four unknown persons and they started
using vulgar language with her and they assaulted her with fists
and slaps and made her injured. She any how fled away from
the place of occurrence and reached her house.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case on money dispute. As a matter of fact, the informant and petitioner are co-villager and husband of informant had taken loan from the petitioner with a promise to return the same within six months and after expiry of the aforesaid period when the petitioner started demanding his money then the informant lodged this false and concocted case to make pressure upon the petitioner to not institute the case against the husband of the informant and grab the loan amount of the petitioner. It is further submitted that from perusal of para-2, 3 & 6 of the case diary, it is amply clear that no offence under Section 354B IPC is made out against the petitioner. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned



Court below where the case is pending/successor Court in connection with Naubatpur P.S. Case No.515 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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