

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29212 of 2015

Arising out of PS.Case No. -55 Year- 2015 Thana -GORAUL District- VAISHALI(HAJIPUR)

Shatrudhan Rai, S/o Late Gudari Rai, resident of Village Thikha Bahadur,
Police Station Goraul in the District Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sushant Kumar, Advocate.

For the Opposite Party : Mr. Braj Kishore Prasad(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-07-2015 The petitioner is apprehending his arrest in connection with Goraul P.S. Case No. 55 of 2015 for the offences instituted under Sections 341, 323, 448, 354 and 379/34 of the IPC.

Heard learned counsel for the petitioner and learned counsel for the State.

It is alleged that the petitioner pushed down the informant, torn her clothes and assaulted her. It is further alleged that when the informant after fleeing went to her house, then all accused persons entered her house and caught hold her and assaulted her mercilessly and with bad intention boarded on her body when her sister came to save her she was also assaulted by the accused persons and snatched gold nose pin and took out Rs.5,000/- from the box.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the general and omnibus allegation has been made against the petitioner. There is a case being Goraul P.S. Case No. 21/2014 which was instituted by the wife of the petitioner few days prior to institution of the present case.

On behalf of the State it has been submitted that specific overt act has been alleged against this petitioner and he is named in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Goraul P.S. Case No. 55/2015, pending in the court of the learned C.J.M., Vaishali at Hajipur. Anyhow, if the petitioner surrenders in the court below the same shall be considered on its own merit without being prejudiced by this order preferably on the same day.

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(Sudhir Singh, J)