

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37681 of 2015

Arising Out of PS.Case No. -51 Year- 2015 Thana -MAHILA PS District- JEHANABAD

1. Bhim Chauhan Son of Hari Chauhan resident of village - Beldari Chak,
Police Station - Jehanabad and District Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. B.M.P.Sinha (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-09-2015 Heard learned counsel for the petitioner and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 376 and 511 of the Indian Penal Code.

Prosecution case is that the informant went to ease, when this petitioner made attempt to ravish her, while the informant was carrying pregnancy of three months.

It is submitted by the learned counsel for the petitioner that even from perusal of the First Information Report, the case under Sections 376/ 511 of the Indian Penal Code is not made out. Moreover, in 164 Cr.P.C. statement the victim has only suggested that petitioner tried to outrage the modesty and assaulted her. There is no medical report of the informant on record to suggest the accusation.

Statement has been made in para-3 of the petition that petitioner has no criminal antecedent. It is further submitted that the informant was plucking the brinjal from the land of the petitioner and when alarm raised, then present case has been lodged.

The aforesaid facts constitute ground for consideration of prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Jehanabad Mahila P.S. Case No. 51 of 2015, pending in the court of learned Sri Daya Shankar Singh, Judicial Magistrate, Ist Class, Jehanabad.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

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