

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42455 of 2015

Arising Out of PS.Case No. -173 Year- 2015 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

=====

Kanhaiya Pandit @ Kanhaiya Lal Pandit @ Kesari S/O Late Ramdeyal
Pandit Resident of village- Musapur, P.S. Samastipur Muffasil, District-
Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Adv.

For the Opposite Party/s : Mr. Gopesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 08-12-2015 Heard both sides.

The petitioner apprehends his arrest in Samastipur
(Muffasil) P.S. Case No. 173/2015, registered for the offences
punishable under Section 376 of the Indian Penal Code.

The complainant is a widow and she alleged that she
was earning his livelihood after opening a shop of readymade
cloth. The petitioner firstly developed intimacy and tried to
outrage her modesty. The petitioner is alleged to have made viral
the obscene photographs.

It is submitted that the informant is a widow and the
petitioner is land-lord of the shop.

Learned counsel for the petitioner submits that the
petitioner sold a piece of land to the informant, but the informant

constructed the shop at more area of the land. A Panchayati was held and on account of such disputes this false case is lodged.

From perusal of the allegation made by the informant, it appears that the informant has made very specific allegation against the petitioner that he not only outrage the modesty of the informant but also made viral the obscene photographs.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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