

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48929 of 2014

Arising Out of PS.Case No. -188 Year- 2013 Thana -SAHPUR District- PATNA

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Rajesh Kumar son of Late Ganga Poddar, R/o village- Daudpur, P.S.-
Shahpur, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar

For the Opposite Party/s : Mr. Anita Kumari Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 30-04-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Shahpur P.S. Case No. 188 of 2013 registered for the offences
punishable under Section 354 of the Indian Penal Code.

Allegedly, when the minor daughter of the informant
came in the studio of the petitioner for photographs, then the
petitioner kept his hand on her breast and also on her private part
to which she protested and raised alarm.

Submission is of false implication and that the
petitioner does not run studio rather he runs a mobile shop from
where the informant purchased a mobile on 14.11.2013 and on
16.11.2013 informant pressurized to exchange the same as it was
not working to which the petitioner advised him to get it checked

and repaired through a technician but the informant was not ready and caused threats to implicate him. However, the matter has been compromised and compromise petition has been filed in the court below and as such the petitioner deserves sympathetic consideration to which the learned APP opposes.

Considering the specific allegation against the petitioner for out raging the modesty of a minor girl, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

However, as submitted the matter has been compromised, and as such, the petitioner is directed to surrender and seek regular bail before the court below and in that case after ascertaining the genuineness of the compromise petition the court below shall pass appropriate order on the same day.

Accordingly, this application is disposed of with the aforesaid observations.

(Jitendra Mohan Sharma, J)

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