

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8628 of 2015**

Arising Out of PS.Case No. -29 Year- 2013 Thana -BOUNSI District- ARRARIA

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1. Roushan Kumar @ Roni Kumar Son of Laxman Mandal Resident of village- Kathuwa, (Kurmi tola) P.s. - Bousi, Dist- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate.

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      03-03-2015                      Heard both sides.

The petitioner apprehends his arrest in Bounsi P.S. Case No. 29 of 2013, registered for the offences punishable under Sections 376/511 of the Indian Penal Code.

The victim made allegation that while she had gone to harvest wheat crops, the petitioner came and made abortive attempt to outrage her modesty.

Learned counsel for the petitioner submits that the occurrence is of 17.04.2013, but the FIR was lodged on 29.04.2013. There is inordinate delay and no explanation is given. There is a land dispute between the parties and on account of such this false case has been lodged. The case has already been compromised.

It appears that the victim made specific allegation that the petitioner finding her alone in a field made an abortive attempt to commit rape with her.

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

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order on the same day.

**(Prabhat Kumar Jha, J.)**

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