

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51744 of 2014

Arising Out of PS.Case No. -162 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

=====

1. Dilip Mehta Son of Ram Chandra Mehta @ Changal Mehta Resident of
Village - Andauli, P.S. - Saur Basar, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Ramshankar Das(Spl.Pp)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-05-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Saur Bazar P.S. Case No. 162 of 2014 registered for the offences
punishable under Sections 376/511 of the Indian Penal Code,
Section 8 of the Protection of Children from Sexual Offence Act
and Sections 3(i) (xi) of SC/ST (Prevention of Atrocities) Act.

Allegedly, the petitioner and other co-accused tried to
catch the informant and her two cousin sisters but both sisters after
raising alarm fled towards the village and then, the petitioner and
co-accused caught the informant and pushed her down on the earth
and tried to put clothes in her mouth but due to assemblage of
several people they fled away.

Submission is of false implication and that the accused Dewan Mehta is facing trial wherein the victim informant has stated that on suspicion she has lodged this case and further another witness Gunjan Kumari has been declared hostile and further Murari Paswan has also been declared hostile and, as such, the petitioner deserves sympathetic consideration to which the learned APP opposes.

Considering that the petitioner remained absconding and against him there is allegation for making an attempt to commit sexual assault with minor informant and as such, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

However, in case and if so advised, the petitioner surrenders and seeks regular bail before the court below, then his prayer for bail shall be considered on the points raised by the defence on the same day without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--