

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51484 of 2014

Arising Out of PS.Case No. -70 Year- 2014 Thana -BATH District- BHAGALPUR

1. Santosh Tanti Son of Navin Tanti
2. Dhanno Tanti son of Satto Tanti Both resident of village - Dighi, Police
Station - Bath, District - Bhagalpur

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Sanjeev Ranjan

For the Opposite Party : Mr. Sadanand Paswan (Spl. Pp)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 29-06-2015

Heard both sides.

Petitioners apprehend their arrest in connection with
Bath P.S. case no. 70 of 2014 registered under Sections 354(B)/34
of the IPC and diverse provisions of the Scheduled Castes/
Scheduled Tribes (Prevention of atrocities) Act, 1989.

The informant/victim is 15 years old girl . It has
been alleged that while she was coming from Bazaar after
purchase of potato these two petitioners forcibly embraced her
with bad intention. She raised outcry which attracted the villagers
whereafter they left her and fled away abusing her in the name of
caste.

Contention of the petitioners is that there is no

allegation that such forcible embracement was made with a view to disrobe her. The allegations are concocted. No case under Section 3(1) (x) of the Scheduled Castes/Scheduled Tribes (Prevention of atrocities) Act shall be made out considering the allegation levelled in the FIR.

Learned APP opposed the prayer and submitted that there is specific allegation of outraging the modesty of the girl against the petitioners.

Considering the allegation, I am not inclined to extend the privilege of anticipatory bail to the petitioners. Prayer for anticipatory bail is rejected.

(Kishore Kumar Mandal, J)

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