

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32143 of 2014

Arising Out of PS.Case No. -36 Year- 2014 Thana -MAHILA P.S. District- MUZAFFARPUR

1. Sanjay Sah @ Sanjay Kumar Sah son of Jagan Sah Resident of village -
Bajitpur Kodaria, P.S. Kurhani, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. B.Ram(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 03-02-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Muzaffarpur Mahila P.S.Case No. 36 of 2014 registered for the
offences punishable under Sections 354, 341, 323, 504, 506 of the
Indian Penal Code.

The accusation against the petitioner is that he
attempted to outrage the modesty of the informant on 24.04.2014
but admittedly the written report was given on 19.05.2014 and
after that the present case was registered.

The contention on behalf of the petitioner is that much
prior to the institution of the present case, the petitioner lodged
Sadar P.S.Case No. 174 of 2014, and in retaliation of the aforesaid

case, the uncle of the informant got set up the informant and instituted the present case.

Learned counsel appearing for the informant refuted the above stated submissions arguing that prior to institution of the present case, the informant had given written report to Mahila police station in respect of behaviour and attitude of the petitioner but no F.I.R was lodged and being emboldened due to none registration of the F.I.R, the petitioner committed the present occurrence and the aforesaid facts was also supported by the informant in her statement recorded under section 164 of the Cr.P.C .

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, West Muzaffarpur in Muzaffarpur Mahila P.S.Case No. 36 of 2014, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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