

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9440 of 2015

Arising Out of PS.Case No. -106 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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1. Dinesh Sah Son of Ram Shrestha Sah Resident of village - Khopa, P.S.
Runnisaidpur, District – Sitamarhi..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 16-07-2015 Heard learned counsel for the petitioner, learned

counsel representing the State and learned counsel for the

informant.

Petitioner apprehends his arrest in connection with

Runnisaidpur P.S. Case No. 106 of 2014 registered for the

offences punishable under Sections 341, 447, 323, 324, 354, 379,

504/34 of the Indian Penal Code.

Allegedly, the petitioner after entering into the house

of the informant tried to outrage the modesty of his daughter and

when she tried to rescue herself, her Samij was torn and thereafter,

when other family members came, the petitioner gave knife blow

causing injury on the shoulder of the informant and other accused

persons assaulted the informant and his wife with lathi-danda and

further the petitioner snatched gold chain of his daughter. Other

accused persons took away the attachee containing various articles

with cash of Rs. 75,000/-.

Submission is of false implication and that due to land dispute the case has been lodged falsely, as it was decided in public meeting to construct a temple on government land which is in front of the informant's house which was opposed by the informant and as the petitioner was taking active part, he has falsely been implicated in this case. Other accused persons have been allowed pre-arrest bail by the learned court below itself. Further the injury found is lacerated wound which cannot be caused by a sharp cutting weapon.

Learned APP duly assisted by learned counsel representing the informant opposes the prayer of pre-arrest bail of the petitioner.

In the facts and circumstances stated above, consideration the specific allegation attributed against the petitioner for outraging the modesty of the informant's daughter which finds support during investigation also, as such, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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