

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3407 of 2015

Arising Out of PS.Case No. -446 Year- 2014 Thana -KHAGARIA District- KHAGARIA

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1. Manish Kumar Poddar @ Manish Kumar S/O Vishwanath Poddar
Resident of Sanhauli, Ward No.12,P.O-Sanhauli,P.S-Chitragupt
Nagar,Distt.-Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Amitabh Bhardwaj

For the Opposite Party : Mr.M. Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 27-05-2015

Heard both sides.

Sole petitioner apprehending his arrest in connection with Khagaria P.S. case no. 446 of 2014 registered under diverse provisions of the Penal Code including Sections 307,354 of the IPC, has filed the present application seeking anticipatory bail.

In the morning of 17.5.2014 petitioner along with others entered into the 'aangan' of the informant/complainant and tried to commit rape on her. She was also assaulted on head. Complaint later treated as an FIR when investigation ensued. In such circumstance, the present application has been filed.

Learned counsel for the petitioner submits that there is land dispute. The supervisory officer has not found the

allegation of outraging the modesty true.

Learned APP for the State, on the other hand, points out from the case diary that witnesses have supported the prosecution case. In course of occurrence the informant also received injury on head. The investigation is still going on.

Regard being had to the above, this Court is not inclined to privilege the petitioner with anticipatory bail. Prayer is rejected. Let the petitioner surrender and pray for regular bail before the learned Court below. In that event the same shall be considered and disposed of on its own merit uninfluenced in any manner by the present order.

(Kishore Kumar Mandal, J)

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