

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33829 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -NAUHATTA District- SAHARSA

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Md. Shamim @ Md. Samim son of Md. Anbarul, resident of village-
Ramauti, P.S. Nauhatta, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Shailendra Kumar No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 31-08-2015

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections
341, 342, 376/511 and 506 of the Indian Penal Code.

It is alleged that 14 years old daughter of
the informant was going to school when she reached near the
graveyard the petitioner molested her and tried to ravish her.

It is submitted by learned counsel for the
petitioner that the wife of the petitioner earlier lodged Sanaha
No. 673 of 2012 before the SDM, Saharsa on 27.03.2012



against the informant's son Jahangir raising apprehension of lodging frivolous case and the wife of the petitioner also lodged Nauhatta P.S. Case No. 34 of 2015 making accusation under Sections 147, 341, 342, 504, 323, 427, 506 and 354 of the Indian Penal Code against the informant, her husband and others at earlier point of time and hence, as a retaliatory measure the present case has been lodged. From the first information report it does not appear that any medical examination of the victim was done. For the occurrence of 18.02.2015 at 9.00 A.M. the FIR was lodged on 19.02.2015 at 4.30 P.M. and the same reached to the court of learned I/C C.J.M. on 20.02.2015.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent

Considering the accusation levelled subsequent to the lodging of the FIR by the wife of the petitioner against the informant, her husband and others, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial

Magistrate, Saharsa in connection with Nauhatta P.S. Case No.
36 of 2015, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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