

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30191 of 2016

Arising Out of PS.Case No. -156 Year- 2009 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

=====

Nagendra Ram Son of Guguli Ram Resident of Village- Dhawahi, Chamar
Toli, P.S.- Harsidhi District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shakil Ahmad Khan, Advocate.

For the Opposite Party : Mr. Dilip Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-09-2016 Heard both sides.

The petitioner apprehends his arrest in Harsidhi P.S.
Case No. 156 of 2009, corresponding to Trial No. 472 of 2016
registered for the offences punishable under Sections 458, 376 and
511 of the Indian Penal Code.

The informant filed a complaint petition on the basis of
which the present FIR was registered. The informant alleged that
her husband died four years ago but thereafter the petitioner
Nagendra Ram and Gopal Ram were looking the informant with
evil eyes. The petitioner is also alleged to have made an attempt to
commit rape with the informant.

Learned counsel for the petitioner submits that the
complainant/informant happens to be sister-in-law of the

petitioner. There is inordinate delay in lodging the case. Now the case has already been compromised, but it appears that the informant made very specific allegation that it was the petitioner who made an attempt to commit rape with her. The case is of the year 2009 and the petitioner moved for anticipatory bail before the Sessions Judge, East Champaran, Motihari in ABP No. 140 of 2013 and the same was rejected, even thereafter the petitioner did not surrender before the court below.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail in Harsidhi P.S. Case No. 156 of 2009, corresponding to Trial No. 472 of 2016, pending in the court of Chief Judicial Magistrate, Motihari, East Champaran.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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