

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41434 of 2016

Arising Out of PS.Case No. -218 Year- 2016 Thana -RAJOUN District- BANKA

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Trideo Kumar S/o Shmabhu Pd. Yadav Resident of village- Jhitka, Police
Station - Rajoun, district Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 22-11-2016 Heard both sides.

The petitioner apprehends his arrest in Rajoun P.S. Case
No. 218/2016, registered for the offences punishable under
Section 354B of the Indian Penal Code.

The victim alleged that petitioner was imparting tuition
to her. On 08.07.2016 petitioner called her to Jhitka Bandh where
the petitioner tried to outrage her modesty torn dupatta and put
vermilion on her head.

Learned counsel for the petitioner submits that the
occurrence is said to have taken place on 08.07.2016, but the
F.I.R. was lodged on 09.07.2016. The F.I.R. reached the Chief
Judicial Magistrate Court on 14.07.2016. It is further submitted
that the petitioner is a constable in para-military force Indian

Tibbet Boarder Police (I.T.B.P.) and informant wanted to marry with the petitioner that is why she filed the case against the petitioner, but it appears that the victim made specific allegation that the petitioner was well acquainted with her, as he was imparting tuition to the informant. Petitioner called the informant and tried to outrage her modesty.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below learned court below shall consider the prayer for regular bail of the petitioner on its own merit and dispose of the bail petition of the petitioner preferably on the same day.

(Prabhat Kumar Jha, J.)

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