

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47986 of 2016

Arising Out of PS.Case No. -192 Year- 2016 Thana -FATEHPUR District- GAYA

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1. Md. Imteyaz Alam @ Imteyaz Alam S/o Islam Ansari Resident of
Village Kamra Donaiya P.S. Fatehpur District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sinku Kumari D/o Sanjay Yadav R/o Village Kamra Donaiya P.S.
Fatehpur Dist Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate.

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-12-2016 Heard the learned counsel for the petitioner and Mr.
Dayal APP for the State.

Petitioner prays for anticipatory bail in connection
with Fatehpur P.S. case No. 192 of 2016, registered under
Sections 354/ 354(A) and 354(B) of the IPC and Section 8 of the
POSCO Act.

The victim girl lodged the case that when she along
with her mother had gone to ease, the petitioner came and tried to
caught hold of her inasmuch as an attempt was made to tie her
mouth with the *dupatta*. When she raised a kind of alarm, the
mother came and thereafter the petitioner escaped.

Learned counsel for the petitioner states that owing to



a dispute relating to the passing of the lane the difference cropped up and the FIR has been lodged with concocted allegations. Several villagers have filed a petition in this regard including, the elected representatives. There is a sharp discrepancy in the statement of mother of the victim before the police as well as the statement of the victim under Section 164 Cr. P.C.

Mr. Dayal, APP for the State, on the other hand, states that the victim girl, in her statement made under Section 164 Cr. P.C., has supported the allegation although with little difference. Petitioner is also facing prosecution under the POSCO Act.

Considering the facts and circumstances of the case, I am not persuaded to extend him the privilege of anticipatory bail. Prayer is rejected.

Let the petitioner surrender and pray for bail before the Court below. If he does so, the same shall be considered on its own merit unprejudiced by the present order.

(Kishore Kumar Mandal, J)

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