

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27170 of 2016

Arising Out of PS.Case No. -193 Year- 2016 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Sunil Paswan, Son of Vijay Paswan, resident of village - Mansikpur, P.S.
Telhara, District - Nalanda at Biharsharif Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ Manu, Adv.

For the Opposite Party : Smt. Reena Sinha, APP 163

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 01-09-2016

Heard both the sides.

The petitioner apprehends his arrest in Hilsa P.S.
Case No. 193 of 2016 under Section 354B of the Indian Penal
Code.

The father of the victim made allegation that he got
his wife admitted in Om Shai Nusing Home, Hilsa, for operation
of appendix and uterus. His daughter was also with the mother,
but, in night his daughter cried loudly and disclosed that driver of
the doctor was putting his hand on her private part with bad
intention. The staff of the Hospital disclosed the name of the
petitioner.

The learned counsel for the petitioner submits that
the petitioner had let out a room to the father of the victim for one
day, but, the father of the victim kept the room for four days and
when rent was demanded some hot altercation took place and that
is why this false case lodged. It is, further, submitted that the
victim made statement under Section 161 of the Criminal
Procedure Code and has given a different story. But, from perusal
of the statement of the father and the statement of the witnesses,

including the victim, it appears that the victim made very specific allegation against the petitioner that while the victim was sleeping, the petitioner put his hand on the private part of the victim and on alarm he fled away.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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