

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1584 of 2017

Arising Out of PS.Case No. -280 Year- 2016 Thana -KUDRA District- BHABHUA (KAIMUR)

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Rishi Choudhary @ Rishi Chaudhary Son of Sipahi Chaudhary Resident of
Village - Golaudih, P.S. - Kudra, District - Kaimur (Bhabua).... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 17-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with Kudra
P.S. Case No. 280 of 2016 registered for the offences punishable
under Sections 341, 323, 325, 354, 379/34 of the Indian Penal
Code.

Allegedly, the petitioner tried to outrage the modesty of the
daughter-in-law of the informant and when she raised alarm the
other co-accused came and assaulted the family members of the
informant and in the meantime the petitioner took away the golden
locket from the neck of the daughter-in-law of the informant and
fled away.

Submission is of false implication and that due to family
dispute this case has been lodged, there was quarrel between the
children, other co-accused have been allowed pre-arrest bail by the



learned court below itself and the prayer of the bail of the petitioner has been rejected though the allegation of snatching the gold locket is super addition and ornamental in nature. There is nothing as to how the petitioner tried to outrage the modesty of the daughter-in-law of the informant and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

However, in case and if so advised, the petitioner surrenders and seeks regular bail before the court below, then his prayer for bail shall be considered on its own merit on the same day without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

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