

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52364 of 2017**

Arising Out of PS. Case No.-19 Year-2017 Thana- MAHILA P.S. District- Bhojpur

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Baban Kumar Nirala, Son of Rameshwar Paswan, Resident of Village-  
Mishrawalli, Police station- Sakurabad, District- Jehanabad. At present  
resident of Village- Bahiro, Police Station- Ara Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mrigendra Pratap Singh

For the Opposite Party/s : Ms. MEENA SINGH

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**  
**ORAL ORDER**

2      20-11-2017              Heard both sides.

Petitioner seeks bail in connection with Mahila P.S.  
case no. 19 of 2017, registered under Sections 323, 376, 406,  
420, 504 and 506/34 of the IPC.

The F.I.R. lodged by the widow mother of the victim  
depicts a classic example of sexual harassment by the close  
family members. Petitioner being the uncle is said to have  
established sexual relationship with the victim.

Learned counsel submits that the allegation has been  
levelled several months after the initiation of the alleged  
harassment. The allegation is motivated by the property dispute.  
Some independent witness has not stated about any such  
relationship or protest by the victim.



Learned counsel for the State, placed the statement of the victim recorded under Section 164 of the Cr. P .C. (Annexure-3) wherein she has graphically stated the entire incident which continued with her for several months.

Looking to the severity of the allegation, particularly, the statement of the victim, the prayer for bail is rejected. If the petitioner, on expiry of 09 months from today, prays for bail in the Court below, the same shall be considered on its own merit uninfluenced by the present order.

**(Kishore Kumar Mandal, J)**

shyambihari/-

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