

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11163 of 2017

Arising Out of PS.Case No. -57 Year- 2016 Thana -MAHILA P.S. District- SAHARSA

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Guddu Kumar, son of Natho Sawarnkar, resident of village- Baijnathpur,
Ward No.2, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 24-04-2017 Heard both sides.

The petitioner apprehends his arrest in Mahila P.S.
Case No. 57 of 2016 registered for the offences punishable under
sections 448, 376, 511, 506, 323, 34 of the Indian Penal Code.

The informant alleged that on 14.06.2016 in the
night, the petitioner entered into her house and made an attempt to
outrage her modesty.

Learned counsel for the petitioner submits that the
occurrence took place on 14.06.2016, but the First Information
Report was lodged after one month of the occurrence. The
informant did not explain the delay in lodging the First
Information Report. The petitioner is next door neighbour of the
informant and on account of land dispute, the present case has



been lodged, but good sense prevails and the informant has compromised the case. The compromise petition has also been filed.

On perusal of the First Information Report it appears that the informant, of course, lodged the F.I.R. after one month of the occurrence, but she made allegation of an attempt to outrage her modesty.

Considering the facts, circumstances and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner above named on anticipatory bail and the same is dismissed.

If the petitioner surrenders in the court below, the court below shall consider the case of the petitioner for regular bail taking into consideration that the case has been compromised and dispose of the bail application, if possible, preferably, on the same day.

(Prabhat Kumar Jha, J)

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