

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15407 of 2017

Arising Out of PS.Case No. -204 Year- 2016 Thana -NANHPUR District- SITAMARHI

Laila Kumar @ Chandrashekhar Das @ Laula son of Bhogindra Das R/o
village - Nauwadhi, P.S. - Nanpur, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 11-07-2017 Heard leaned counsel for the petitioner and the
 leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Nanpur P.S. Case No. 204 of 2016, registered under Sections 447, 341, 323, 354, 504 and 506/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Sitamarhi.

The accusation is that informant used to reside at the house of her 'Fufa' Nagendra Choudhary, village-Naudih, P.S.Nanpur, District-Sitamarhi. It is alleged that petitioner and his brother used to tease her, but due to social stigma, she did not disclose this fact to anyone. But, she made compliant to the mother and grand mother of the petitioner regarding teasing, but they did not pay any heed on it. On 08.08.2016, while she was



cooking meal in the house of her 'Fufa' at about 9.00 A.M. petitioner entered in her courtyard and laid her on the ground forcibly and started touching her cheek and other body parts of the body and also started fingering in her private parts. In the meantime, the daughter of his Fufa entered in the courtyard then petitioner fled away. Thereafter, petitioner his brother Mithu Kumar and his mother Chunchun Devi entered in her house and started assaulting, then she become unconscious and she was rushed to Nanpur Sadar Hospital from where she was referred to Sadar Hospital, Sitamarhi and on 12.08.2016, she was discharged from the hospital.

Learned counsel for the petitioner submits that while occurrence is of 08.08.2016 and the informant was medically examined on the same day, but the F.I.R. was lodged on 14.08.2016 after six days of the occurrence without any explanation. Further submission is that, in fact, occurrence of Marpit took place due to land dispute in between family of the petitioner and 'Fufa' of the informant in which petitioner side also sustained injuries regarding which SC/ST Sitamarhi P.S. Case No. 71 of 2016 is instituted on 17.08.2016.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not



inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

