

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49540 of 2016

Arising Out of PS.Case No. -67 Year- 2016 Thana -ASHOK PAPER MILL District- DARBHANGA
=====

Md. Sohail S/o Md. Shahid, resident of Village- Ratanpura, P.S. A.P.M.,
District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP
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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 17-01-2017 Heard both sides.

The petitioner apprehends his arrest in Ashok Paper Mill P.S. Case No. 67/2016, registered for the offences punishable under Sections 354, 380 and other sections of the Indian Penal Code.

The prosecutrix alleged that Md. Sohail (petitioner) forcibly entered into her house and made an attempt to outrage her modesty. The informant and her Sister Shama Parveen protested. On such, the petitioner and others came to the house of the informant after sometime, assaulted the informant and her family members and took away different articles.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the case. The independent



witnesses have stated in para 19, 20 and 21 of the case diary that brother of the informant got affair with the daughter of Md. Shakeel the brother of the petitioner and a panchayati was to be held. For that some altercation took place between the female members of the two family that is why this case has been lodged, but it appears that the prosecutrix and many other witnesses have very categorically stated that firstly, petitioner made an attempt to outrage the modesty of the prosecutrix and when protest was made all the accused persons forcibly entered into her house, assaulted the informant and others.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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