

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30130 of 2017**

Arising Out of PS.Case No. -16 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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1. Subrat Jagbandhu, Son of Mishrilal Yadav, resident of Village/Mohalla-Latauna, Ward No. 12, Police Station- Tribeniganj, District- Supaul.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

3      21-08-2017                      Heard both sides.

The petitioner apprehends his arrest in Tribeniganj P.S. Case No. 16 of 2017 registered for the offences punishable under Sections 376 and 511 of the Indian Penal Code.

The informant alleged that while she was sleeping with her grand daughter the petitioner forcibly entered into the house and made attempt to commit rape with her grand daughter.

Learned counsel for the petitioner submits that there is a series of litigation between the petitioner on the one hand and the informant on the other. In paragraph-8 of the bail petition, the petitioner has mentioned that as many as six petitions are filed from the side of the petitioner for initiation of proceeding under Section 144 of the Code of Criminal Procedure and under Section



133 of the Code of Criminal Procedure and initiation of proceeding under Section 107 of the Code of Criminal Procedure. By the side of the informant also many such petitions are filed. It is further submitted that Title Suit No. 312 of 2013 is also pending between the parties as the mother of the petitioner donated the land in favour of Governor of Bihar for construction of the school of which the petitioner is headmaster but, Sebastian and Johani Jarmias filed the aforesaid title suit claiming the land of their own. No occurrence as alleged by the informant has taken place.

Learned counsel for the State submitted that during course of investigation almost all the witnesses besides the victim supported the factum of the occurrence that the petitioner forcibly entered into the house of the informant in order to outrage the modesty of the grand daughter of the informant.

Considering the facts that the petitioner made abortive attempt to outrage the modesty and all witnesses supported the case, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

KKSINHA/-

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