

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25044 of 2017

Arising Out of PS.Case No. -295 Year- 2016 Thana -KUDHANI District- MUZAFFARPUR

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1. Md. Ujale Son of Md. Neyamul @ Md. Enamul, Resident of Village-
Lukki Nandlalpur, P.S. Kudhani (Turki O.P.), District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 20-07-2017

Heard both sides.

The petitioner apprehends his arrest in Kudhani
(Turki O.P.) P.S. case No. 295 of 2016 under Section 376/511 and
other Sections of the IPC and under Section 4, 8, 12 of POCSO
Act.

The informant made allegation that while she was
coming to her house the petitioner stalked her but, in the
meantime, brother of informant came and saved her. She further
alleged that in the evening the petitioner entered into her house
and made abortive attempt to commit rape with her. She further
alleged that thereafter all the accused persons came and assaulted
the informant and others.

The learned counsel for the petitioner submits that



the occurrence took place on 23.05.2016 but the FIR was lodged on 26.05.2016. The petitioner is neighbour of the informant. Some altercation took place between two sides and for that a complaint case being complaint case No. 1273/2016 was also lodged from the side of the petitioner. A panchayati was held on 19.09.2016 but the informant did not complain about the ill treatment at the hands of the petitioner. Both sides stated that some altercation took place. Other accused persons have already been granted anticipatory bail.

It appears from the perusal of the FIR and the complaint case filed from the side of petitioner that the occurrence took place on 23.05.2016. The informant alleged that on 23.05.2016 the petitioner not only stalked her while she was on her way to her residence but later the petitioner made an attempt to outrage her modesty.

Considering the fact that there is specific allegation against the petitioner that petitioner made attempt to outrage the modesty of the informant, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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