

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33384 of 2017

Arising Out of PS.Case No. -234 Year- 2017 Thana -SITAMARHI District- SITAMARHI

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1. Akash @ Akash Kumar son of Mohan Raut @ Mohan Sweeper resident
of Village - Koat Bazar Ward No. 13, P.S. and District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Sitamarhi P.S. Case No.234 of 2017, registered for the offences punishable under Sections 341/323/354/506/509 of the Indian Penal Code, pending in the Court of Chief Judicial Magistrate, Sitamarhi.

Allegation against the petitioner is of sexual assault committed against the informant. The impugned order reveals that the learned Court-below has directed the petitioner to surrender and pray for regular bail, which shall be disposed of without being prejudiced by the impugned order.

Learned counsel for the petitioner submits that there



is no independent corroboration of the occurrence and the false case has been lodged just to pressurize in the old dispute between the parties.

Considering the nature and the place where occurrence took place, it is not necessary that witnesses should be there to corroborate the allegation of the informant; hence, I am not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused.

(Birendra Kumar, J)

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