

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38208 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -KARPI District- JEHANABAD

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ARSHAD ALAM @ ARSAD MIAN Son of Anwar Mian, R/o Village- Rohai, P.S.- Karpi, District- Arwal.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Sri Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 17-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends arrest in connection with Karpi P.S. Case No. 63 of 2017 registered for the offences under sections 448, 354(B) and 379 of the Indian Penal Code.

The allegation, as per the written report, submitted to S.H.O. of Karpi (Arwal) Police Station is that on 23.03.2017 at about 11:30 P.M., this petitioner, who is neighbour of the informant, entered into the house of informant and attempted to outrage the modesty of his 11 years old daughter. The daughter of the informant raised alarm whereupon her aunt reached there and identified this petitioner in the flash of torch. The villagers also assembled there and tried to search this petitioner. It has further



been alleged that in the morning it was found that some ornaments and cash amount of Rs. 30,000/- were stolen by this petitioner. The informant and his wife on the day of occurrence, had gone to Baishno Devi Temple and his other family members used to reside at Patna. On getting information, he came back to his village and thereafter, lodged the case.

Learned counsel for the petitioner submits that he has no concern with the affairs of informant or his family members. The informant had taken money on credit from the petitioner in connection with business and when the petitioner demanded for return of said money, the present case has been lodged for putting undue pressure on the petitioner to forego the said loan amount. The petitioner has clean antecedent and so, he deserves anticipatory bail.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

From perusal of FIR it appears that the petitioner entered into the house of the informant on the day of occurrence in the night and attempted to outrage modesty of the daughter of informant. She raised alarm whereupon her aunt and other villagers came there and they identified this petitioner in the flash of torch when he was fleeing from the house of informant.



Considering the nature of allegation, facts and circumstance, as stated above, I am not inclined to grant anticipatory bail to the petitioner and accordingly, his prayer is rejected.

(Sanjay Kumar, J)

Mahesh/-

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