

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69958 of 2018

Arising Out of PS. Case No.-386 Year-2018 Thana- RAJAON District- Banka

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Dablu Kumar Yadav, Son of Ramdhani Yadav, Resident of Village- Sanjha,
Police station- Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Singh

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-12-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 448 and 354 of the IPC.

The prosecution case, as per the written report of Pushpa Kumari, dated 03.09.2018 submitted to the Station House, Rajaun Police Station, is to the effect that on 01.09.2018 at 4 PM, the mother, sister and the brother of the informant went to the paddy field for sowing, in the meantime, the petitioner entered into the house of the informant and tried to outrage the modesty of the informant and on protest being made by her, he threatened and abused her and when the brother of the informant came to the house, the petitioner fled away.

It is submitted by learned counsel for the petitioner that even assuming the accusation to be true, no offence under



Section 354 IPC is made out against the petitioner. It is further submitted that the petitioner is the agnate of the informant. For the occurrence of 01.09.2018 at 4 PM, the FIR was lodged on 03.09.2018 at 5.40 PM. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner.

Considering the delayed lodging of the FIR and nature of accusation, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 386 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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