

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8714 of 2018

Arising Out of PS.Case No. -159 Year- 2017 Thana -KEOTI District- DARBHANGA

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1. Md. Arbaz, Son of Md. Imteyaz, All Resident of Village-Asraha, P.S.-
Keoti, District-Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 20-02-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Keoti P.S. Case No. 159/2017, instituted for the offences
punishable under Sections 448, 341, 323, 354(B) and 506 of the
Indian Penal Code.

The allegation against the petitioner is that he had
entered in the house of the informant when her daughter Kulsum
Parween was alone and further allegation is that he had indulged
in eve-teasing with his daughter and when she wanted to raise a
hulla, the petitioner clasped her mouth with his hand. When the
son of the informant tried to catch hold of him, the petitioner fled
away by locking the door from outside. It has also been alleged



that the matter was brought to the notice of the Panchayat, a Panchayat was also held but the boy side did not come in the Panchayat.

Learned counsel for the petitioner submits that the alleged occurrence is said to have taken place on 09.09.2017 whereas the written complaint was submitted by the informant only on 03.10.2017, i.e. almost after three weeks from the alleged occurrence. He further submits that admittedly the daughter of the informant is 19 years old and she is a major girl. In course of investigation the police has collected the materials showing that the daughter of the informant and this petitioner being neighbour knowing each other from their childhood and had been talking to each other almost every day over mobile for long durations. The details of the calls have also been mentioned in paragraph 13 of the present application to demonstrate that both the boy and girl were in good relationship and had been talking several times every day. In the circumstances, it is submitted that this petitioner has been falsely implicated in this case only when the parents of the petitioner did not agree to marry the boy with the daughter of the informant.

Learned A.P.P. is present.

Considering the nature of allegations and



particularly that the girl is said to be 19 years old and from paragraph 13 of the application it appears that the calls are of long durations which have been made almost every day on several occasions as claimed by the petitioner between him and the daughter of the informant, let the petitioner above named in case of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VII, Darbhanga in connection with Keoti P.S. Case No. 159/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J.)

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