

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1513 of 2018

Arising Out of PS. Case No.-145 Year-2017 Thana- MUSAHRI District- Muzaffarpur

Sunil Sah, son of late Baidyanath Sah, Resident of Village - Rohuaa Rajaram,
P.S.- Mushahari, District -Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr.J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 376, 511, 341, 323,
504, 506, 379/34 of the Indian Penal Code.

Prosecution case got initiated with filing of Complaint
Case No. 1402 of 2017 on 21.06.2017 which came to be
registered as police case on 11.08.2017. Prosecution case is that
on 16.06.2017 at 11 PM., the petitioner entered into the room of
the informant and attempted to ravish her. Next morning at 7.00
AM when the husband and father-in-law of the informant went
to protest, then the petitioner and his family members assaulted
the informant and her family members and snatched gold chain



and wrist watch from the husband of the informant.

It is submitted by learned counsel for the petitioner that for the occurrence of 16.06.2017, the complaint was filed on 21.06.2017, which came to be registered as police case on 11.08.2017. The informant was never been medically examined. Moreover, for the occurrence of 16.06.2017, the mother of the informant namely Raj Kumari Devi lodged Mushahari P.S. Case No. 105 of 2017 on 18.06.2017 against the informant's side with accusation under section 341/323/307/506/379/34 of the Indian Penal Code. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur, learned APP for the State that the accusation of assault is specific against the petitioner.

Considering the delayed lodging of the case, case lodged by the petitioner's side at earlier point of time, coupled with 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 or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned Sub-Judge-VI-cum-
ACJM, Muzaffarpur, in connection with Mushahari P.S. Case
No.145/2017, subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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