

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62147 of 2018

Arising Out of PS.Case No. -349 Year- 2018 Thana -NAWADA District- NAWADA

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Md. Hasnain, S/o Md. Shamim Malik, Resident of Village Bhadauni, P.S.
Nawadah, District- Nawadah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 08-10-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 447, 448, 341, 323, 354B, 504 and 506 of the Indian Penal Code.

The prosecution case, as per the written report submitted by Shahnaj Khatoon to the Station House Officer, Nawada Town P.S., is to the effect that on 27.05.2018 at 11.00 P.M. when the informant was sleeping in her house, the petitioner entered into her house, caught hold of the hand of the daughter of the informant, Naz Praveen and tried to outrage her modesty. It is further alleged that when the informant made protest then he assaulted the informant and threatened not to



lodge any case.

It is submitted by learned counsel for the petitioner that in the background of some quarrel between the children of the petitioner and the informant, the accusation has been levelled against the petitioner. It is further submitted that for the occurrence of 27.05.2018 at 11.00 P.M., the FIR was registered on 28.05.2018 at 10.30 P.M. which reached to the Court of learned C.J.M. on 31.05.2018, which suggests that the FIR has been registered by antedating. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

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

Considering the delayed reaching of the FIR to the Court coupled with the statement made in paragraph 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case



No. 349 of 2018, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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