

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42184 of 2017

Arising Out of PS.Case No. -449 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Parsuram Kumar @ Bhola, Son of Late Ram Pravesh Das, resident of
Village- Bichali Malahi, Behind Middle School, P.S - Barh, District- Patna,
at present working as Teacher at Rupas High School, Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Kumari, D/o Naresh Paswan & W/o Navin Kumar, resident of
Village- Bichali Malahi, Behind Middle School, P.S. Barh, District-
Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sidhendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Anzarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 03-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Complaint**
Case No. 449© of 2015 instituted for the offence under Sections
354 and 509 of the Indian Penal Code, pending in the court of
learned Sub Divisional Judicial Magistrate, Barh.

Learned counsel for the petitioner has submitted that
initially the complaint was dismissed by the court below under
Section 203 Cr. P.C. Thereafter, a revision was filed by the
complainant which was allowed. The learned Magistrate after
holding further enquiry, found prima facie case against the
petitioner for the offence under Section 354 and 509 of the Indian



Penal Code by order dated 15.4.2017. It has further been submitted that the complainant wanted to perform marriage of his sister with this petitioner who has been appointed as teacher and when he refused then he was harassed and also assaulted for which the petitioner has earlier filed a Complaint Case No.474(C) of 2015 against the complainant and others. The instant case has been filed as a counter blast to the aforesaid case.

In the instant case, notice has been issued to opposite party No. 2 by order dated 3.10.2017. There is office report that opposite party No. 2 has refused to receive notice.

Considering the facts and circumstances of the case, the provisional anticipatory bail granted to the petitioner vide order dated 03.10.2017 passed by a coordinate Bench of this Court, in connection with Complaint Case No. 449(C) of 2015 is hereby confirmed

The application stands allowed.

The petitioner may continue on the same bail bonds submitted in the court below.

(Sanjay Priya, J)

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