

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52849 of 2018

Arising Out of PS. Case No.-461 Year-2017 Thana- AHIYAPUR District- Muzaffarpur

1. Suraj Kumar @ Suraj Srivastav, S/o Chhotan Prasad, R/o Village- Nazirpur, P.S.- Ahiyapur, Dist- Muzaffarpur.
2. Rohit Srivastav @ Rohit Kumar Srivastava, S/o Lallan Srivastav, R/o Village- Nazirpur, Bank Colony Shekhpura, P.S.- Ahiyapur, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani

For the Opposite Party/s : Mr.Sri Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-12-2018 Heard both sides.

The petitioners apprehend their arrest in Ahiyapur P.S. case No. 461 of 2017 registered under Section 376/511 of the Indian Penal Code and under Section 8 of the POCSO Act.

The mother of the victim filed complaint case on 06.06.2017 for the occurrence alleged to have taken place on 28.05.2017 alleging therein that the petitioners who happens to be her son-in-law and brother-in-law of her son-in-law came to her house and took her minor girl to their house and tried to outrage her modesty. On the basis of such complaint the present FIR was lodged.

The learned counsel for the petitioners submits that during the course of investigation the statement of wife of



petitioner No.1 has also been recorded. The wife of petitioner No.1 has given altogether a different story. There is dispute between to families and that is why this false case has been lodged.

It appears from paragraph 22 of the case diary in which the statement of victim was recorded. The victim made specific allegation that petitioners forcibly took her to their house and made attempt to outrage her modesty. The victim is a minor girl.

Considering the facts aforesaid and nature of allegation made against the petitioners, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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