

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54408 of 2018

Arising Out of PS. Case No.-44 Year-2018 Thana- MAHILA P.S. District- Kishanganj

Azam Alam @ Anjum Babu, Son of Afsar Alam, Resident of Village -
Bhagal, P.S. - Kochadhaman, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 354 and 354B of the Indian Penal Code.

Allegation against the petitioner is of sexual harassment to the informant who is a married lady.

Submission is that the FIR would itself reveal that the initial matter was of ploughing the field of the informant. The informant asked to pay the cost after arrival of her husband. Thereafter, the petitioner took her towards the river side and attempted to outrage her modesty.

Submission is that for dispute relating to non-payment of cost of the ploughing of the field by the petitioner, false case has been lodged. Petitioner has got no criminal antecedent.



Considering the nature of allegation for the purpose of consideration of prayer for anticipatory bail, the statement of the victim does not appear to be believable that she would follow with the petitioner towards river side till arrival of her husband for ploughing of the field, hence, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Kishanganj Mahila Police Station Case No. 44 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/Rajan

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