

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40076 of 2018

Arising Out of PS.Case No. -412 Year- 2017 Thana -PATLIPUTRA District- PATNA

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1. MANNU SHARMA @ MUNNU SHARMA @ MUNNA KUMAR S/o-
Jai Shankar Sharma @ Jai Shankar Prasad Sharma, R/o- H.No- 614, Nehru
Nagar, P.S.- Patliputra, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samrendra Kr. Jha

For the Opposite Party/s : Mr. Shailendra Kr. Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**
ORAL ORDER

2 12-07-2018

Heard both sides.

The petitioner apprehends his arrest in Patliputra
Nagar P.S. case No. 412 of 2017 for the offences punishable under
Sections 448, 342, 323, 504, 354(A) and 34 of the Indian Penal
Code and under Sections 7 and 8 of POCSO Act.

The informant alleged that while her daughter was
going to attend the call of nature the petitioner caught her hand
and tried to drag her inside the house in order to outrage her
modesty. When his daughter protested on such the petitioner fled
away but later on the petitioner came along with other accused
persons and abused the informant.

The learned counsel for the petitioner submits that



the informant and petitioner are tenants in the same house. Some dispute arose due to use of latrine and that is why this case has been lodged. Another accused person, namely, Kundan Sharma @ Kunnu Sharma, brother of the petitioner, has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 05.04.2018 passed in Cr. Misc. No. 15608 of 2018. The case has already been compromised but it appears that there is specific allegation that it was the petitioner who made an attempt to outrage the modesty of the daughter of the informant while she was going to ease out and the case of the brother of petitioner is on different footing than the case of the petitioner.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

BKS/Rajan

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