

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62314 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

Md. Aamir Ansari Son of Md. Sakil @ Md. Sakil Ansari, Resident of Village-
Lodipur, P.S. Lodipur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 12-12-2018 Heard Mr. Ranjan Kumar Jha, the learned counsel

for the petitioner; Mr. Surya Narayan Yadav, the learned

counsel for the informant; and the counsel for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Bhagalpur Mahila P.S. Case No. 35
of 2018 dated 02.07.2018 instituted for the offences under
Sections 341, 354(D), 354(B) and 506 of the Indian Penal
Code.

The prosecutrix has alleged that the petitioner had
been stalking her in the past and on one particular day, he
exceeded his limits and tried to molest her. The prosecutrix
could save her life only by biting the petitioner which made



him unnerved and she could get some time to run away.

Mr. Ranjan Jha, learned counsel appearing for the petitioner has submitted that the allegations, on face of it, do not appear to be correct. The reason assigned for this submission is that there has been delay of approximately seven days in lodging the F.I.R. That apart, it has been submitted that the petitioner and the prosecutrix were in a relationship and only because this relationship was not to the liking of some of the relatives of the prosecutrix, the present F.I.R. has been lodged under pressure. Some of the letters, allegedly written by the prosecutrix to the petitioner, have been annexed with this petition.

Those letters are neither signed nor hand written letters.

In any view of the matter, learned counsel for the petitioner has fairly stated that those letters have not been given to the investigating agency for them to find out whether it was case of jilted love and therefore the revenge.

For the nature of accusations levelled in the F.I.R., I am not inclined to grant anticipatory bail to the petitioner.



The prayer for anticipatory bail is therefore rejected.

However, if the petitioner surrenders before the court below within a period of four weeks and prays for bail, the court below shall look into and inquire whether there was any relationship existing between the petitioner and the prosecutrix and if so what was the reason for the spat between them. A holistic view shall be taken by the court below and then an order shall be passed in accordance with the law, without being prejudiced with the fact that the present anticipatory bail petition has not been entertained.

(Ashutosh Kumar, J)

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