

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.68568 of 2018**

Arising Out of PS. Case No.-1037 Year-2017 Thana- SAHARSA District- Saharsa

Gajendra Sah son of Sonelal Sah, resident of village- Bishanpur Ward no. 9,P.S- Sonbarsa Kachahari, Dist- Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amarnath Jha  
For the Opposite Party/s : Mr. Smt. Reena Sinha

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

2      13-12-2018                      Heard learned counsel for the petitioner as well as learned  
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354, 379, 504 and 506 of the Indian Penal Code.

The accusation against the petitioner is that he having entered into the house of informant made attempt to outrage her modesty and not only assaulted her but also snatched mobile and other valuable things.

Submission on behalf of the petitioner is that prior to filing of the present case, the informant had lodged Saharsa Mahila P.S.Case No. 68 of 2017 against the petitioner and others for the offences punishable under section 498A, 323, 313, 379/34 of the Indian Penal Code claiming that she is wife of nephew of the petitioner. However, the police after due investigation, found the allegation untrue and submitted final form in the aforesaid Saharsa Mahila P.S.Case No. 68 of 2017. He further submits that



as a matter of fact, the informant is stranger to the family of the petitioner and when the police submitted final form in Saharsa Mahila P.S.Case No. 68 of 2017, the informant lodged the present case in retaliation to the above stated events. He further sbumits that the brother of the informant had also lodged Saharsa P.S.Case No.1203 of 2017 against the informant.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in Saharsa P.S. Case No. 1037 of 2017 subject to condition as laid down under Section 438(2) of the Cr.P.C.

N.K/-

**(Hemant Kumar Srivastava, J)**

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