

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6455 of 2019

Arising Out of PS. Case No.-346 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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Md. Seraj Khan son of Noor Alam, R/o Basant Tola, Ward No. 01, P.S.-
Bettiah Town (Kalibag O.P), District West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Satyavrat Verma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-02-2019 Heard both sides.

The petitioner apprehends his arrest in Bettiah Town
(Kalibag O.P.) P.S. Case No.346 of 2017 registered under
Sections 341, 323, 448, 504, 354B and 34 of the Indian Penal
Code and under Section 8 of POCSO Act.

The victim alleged that the petitioner entered into her
house and started talking indecent. When the victim protested,
the petitioner untied her garments in order to outrage her
modesty. On alarm, the brother of the victim came. It is further
alleged that when the brother of the victim went to the house of
petitioner to complain about the behaviour of the petitioner, the
accused persons assaulted the brother of the victim.

Learned counsel for the petitioner submits that there is



a counter version being Bettiah (Town) P.S. Case No.351 of 2017. The petitioner alleged that he got injuries on his scalp. It is further submitted that the petitioner has been falsely implicated in this case due to land dispute.

Having considered the facts aforesaid and the nature of allegation made against the petitioner and the fact that the petitioner entered into the house of victim when she was alone and tried to outrage her modesty, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders before the court below, the court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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