

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9278 of 2019

Arising Out of PS. Case No.-901 Year-2018 Thana- SITAMARHI District- Sitamarhi

Sanichar Rai, aged about 38 years, (Male), Son of Late Pragash Rai, Resident of Village-Bhup Bhairo (Bhairokothi), P.S.-Sitamarhi, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2019 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 448 and 354 of the IPC.

The prosecution case, as per the written report of Deepa Devi, dated 2309.2018, submitted to the Station House Officer, Sitamarhi Police Station, is to the effect that on 22.09.2018, at about 12 P.M., the petitioner entered into the house of the informant and tried to outrage her modesty, but on alarm being raised, when the neighbours of the informant, namely, Sangeeta



Devi and Nagendra Jha came there, the petitioner escaped from the scene.

It is submitted by learned counsel for the petitioner that for the alleged occurrence of 22.09.2018 at 12 P.M., the FIR was lodged on 23.09.2018 at 9.45 A.M., which reached to the learned Court below on 26.08.2018, which suggests that by antedating, the FIR has been lodged. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. It is further submitted that there is no medical report on record to corroborate the accusation of outraging the modesty of the informant.

Learned APP submits that the accusation against the petitioner is specific.

Considering the delayed reaching of the FIR to the learned Court below and the accusation not being corroborated by any medical opinion, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned CJM, Sitamarhi in connection with
Sitamarhi P.S. Case No. 901 of 2018, subject to the condition as
laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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