

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10164 of 2019

Arising Out of PS. Case No.-33 Year-2018 Thana- MAHILA P.S. District- Samastipur

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LAKHSAMI DAS Son of Shivchandr Das Resident of Village - Ahmadpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-02-2019 Heard both sides.

The petitioner apprehends his arrest in Mahila P.S. case No. 33 of 2018 registered under Section 315, 323, 341, 376, 379, 504, 511 of the Indian Penal Code.

The informant made allegation that petitioner, brother-in-law of the informant, entered into her house in the night and removed her clothes from her body with an intention to outrage her modesty but she raised alarm and petitioner fled away. On the next morning when the informant complained the petitioner and his wife assaulted her.

The learned counsel for the petitioner submits that no occurrence as alleged by the informant ever took place. The wife of petitioner lodged complaint case on 30.06.2018 against the informant and her husband but it appears that informant



lodged the case in the next morning of occurrence and made specific allegation that it was the petitioner who had entered into her house and made attempt to commit rape with her.

Considering the facts aforesaid and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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