

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21027 of 2019

Arising Out of PS. Case No.-119 Year-2018 Thana- CHACKMENSI District- Samastipur

Jawahar Sahni, aged about 24 years, Male, Son of Upendra Sahni, Resident of
Village Srinath Paran, P.S. Chakmehshi, District Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-04-2019 Heard both sides.

Petitioner apprehends his arrest in Chakmehsi P.S.
Case No.119 of 2018, registered under Sections 323, 341, 379
and 354B of the Indian Penal Code.

The gist of the allegation is that when the informant
was going to attend the call of nature at about 12.00 in the night,
the petitioner caught her from behind with an intention to
outrage the modesty but on alarm her husband came out. The
petitioner is alleged to have tried to stab her husband but some
how the informant and her husband snatched the knife from the
possession of the petitioner but petitioner bite her husband on
his hand and fled away after snatching her chain.

Learned counsel for the petitioner submits that the
present case is the outcome of political rivalry. The sister-in-law



of the petitioner was contesting Panchayat election. The informant was the supporter of the winning candidate and that is why the informant to take revenge lodged this case making false allegation but on the face of it, it appears that the informant did not contest the election and there is no proximity of the informant with the winning candidate. The informant made specific allegation that while the informant came out from the room, the petitioner bounced upon her from behind with intention to outrage her modesty and the petitioner also tried to stab her husband when he came to save the informant but the petitioner bite her husband on his hand.

Taking into consideration the facts aforesaid and the nature of allegations made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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