

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27508 of 2019

Arising Out of PS. Case No.-58 Year-2018 Thana- RAUTARA District- Katihar

MANIRUDDIN @ MUNWA @ MANUWA S/o Imam Hussain R/o village-
Pokhar Tola, Dhowadhar, Binodpur, P.S.- Rautara, District- Katihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rumela Khatoon W/o Jiyarul Haque R/o village- Pokhar Tola, Dhowadhar,
Binodpur, P.S.- Rautara, District- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bidhan Chandra Jha

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-04-2019 Heard both sides.

The petitioner apprehends his arrest in Rautara P.S.
case No. 58 of 2018 registered under Section 376/511 of the
IPC.

The informant alleged that petitioner entered into her
house after not finding her husband in the house and made an
abortive attempt to commit rape with her. The informant
assaulted the petitioner with sickle and thereafter the petitioner
fled away from her house.

The learned counsel for the petitioner submits that the
informant disclosed that the occurrence took place at 7.30 P.M.
on 23.09.2018 but petitioner lodged Rautara P.S. case No. 61 of
2018 for the occurrence took place at 5.30 PM on 23.09.2018



and on the alleged date of occurrence the petitioner was under treatment in Katihar. It is further submitted that while the petitioner was returning the husband and other family members of the informant brutally assaulted him and also snatched Rs. 1,90,000/- from his pocket. It is further submitted that informant earlier lodged Rautara P.S. case No. 10 of 2015 u/s 376/511 of the IPC in which the petitioner is on bail but it appears from the perusal of FIR itself that it was the petitioner who made an abortive attempt to outrage the modesty of informant after entering into her house and the informant in her defense assaulted the petitioner with sickle which hit on his shoulder and thereafter the petitioner managed to flee away from the place of occurrence. The petitioner made repetitive attempt to outrage the modesty of informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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