

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26896 of 2019**

Arising Out of PS. Case No.-628 Year-2018 Thana- HILSA District- Nalanda

BIRENDRA KUMAR, aged about 33 years(Male), Son of Gyanchand Prasad  
Resident of Village - Malawa, P.S.- Hilsa, Distt. - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Arbind Kumar Pandey (App 84)

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      24-04-2019                      Heard both sides.

The petitioner apprehends his arrest in Hilsa P.S. Case No.628 of 2018 registered under Sections 379, 354, 427 and other minor Sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that the petitioner and others came to her house and began to abuse. The petitioner and Subhash Kumar made indiscriminate firing. Chandrashekhar Prasad assaulted her with lathi causing fracture injury on her right hand. Her sister-in-law was also assaulted by iron rod. The petitioner is alleged to have stripped the cloths of the informant and made an attempt to outrage her modesty.

The learned counsel for the petitioner submits that there is a case and counter case. Both the sides have entered into



compromise and on the basis of the compromise, the informant and others were granted bail but it appears from F.I.R. itself that it was the petitioner who made indiscriminate firing. Of course, nobody was injured but petitioner is further alleged to strip the cloth of the informant and made an attempt to outrage her modesty.

Taking into consideration 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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