

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80150 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

Md. Shahrukh @ Shahrukh son of Md. Shahabuddin, Resident of Village -
Fatepur, Police Station - Zeromile, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Sri Umeshnand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-01-2019 Heard both sides.

Petitioner apprehends his arrest in Bhagalpur Mahila
P.S. Case No.24 of 2018 registered under Sections 354B, 323, 341,
448 and 379/34 of the Indian Penal Code and under Section 8 of
the Protection of Children from Sexual Offences Act, 2012.

The victim alleged that on 19.04.2018 while she was
returning from Sabaur market with different articles, her aunt left
behind but the petitioner took her in a lonely place and put her
down on the ground with intention to outrage her modesty but her
aunt came there running and thereafter the petitioner fled away.

Learned counsel for the petitioner submits that the
occurrence is alleged to have taken place on 19.04.2018 but the
victim made her statement before the police on 02.05.2018. No
satisfactory explanation has been offered. In fact the father of the
petitioner filed Industrial Area P.S. Case No.60 of 2018 on



26.04.2018 against the cousin and others of the informant as they had come and assaulted the father and other inmates of the house of the petitioner for that the informant lodged this case after inordinate delay making false and frivolous allegation.

Having considered the facts that there appears that the father of the petitioner earlier lodged Industrial Area P.S. Case No.60 of 2018 against the cousin and others of the informant and informant herself alleged that the occurrence took place on 19.04.2018 but she gave her fardbeyan on 02.05.2018 without giving any explanation about such inordinate delay in lodging the case, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-Ist, Bhagalpur in connection with Bhagalpur Mahila P.S. Case No.24 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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