

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3943 of 2018

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

Bipin Kumar @ Bipin Kumar Jaiswal son of Late Jitendra Kumar Jaiswal
Resident of Village-Suktiya Bazar, Police Station-Gopalpur, Distt.-Bhagalpur

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Ashutosh Kumar

For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-01-2019 Appellant seeks pre-arrest bail in connection with Naugachhiya Mahila P.S.Case No. 24 of 2018 registered for the offences punishable under Sections 354A, 504, 506 of the Indian Penal Code and Sections 3(i)(r)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that when the informant had gone along with her niece to the studio of the appellant for photography the appellant had tried to outrage her modesty and on protest people assembled and appellant fled away and when the informant went to make complaint she was abused by taking her caste name.

Submission of learned counsel for the appellant is that there is delay of three days in lodging the FIR and for that



no plausible explanation has been given and allegation of abusing by taking caste name is ornamental in nature to make the case serious.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail of the appellant stating that there is allegation of outraging the modesty and abusing by taking caste name.

Having heard both sides and in the facts and circumstances, this is not a fit case for grant of anticipatory bail, rather appellant to surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order and, if possible, to be disposed of on the same day.

Accordingly, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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