

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54478 of 2019

Arising Out of PS. Case No.-336 Year-2019 Thana- NAUBATPUR District- Patna

SANNI KUMAR Son of Nawal Kishore Sharma Resident of Village- Govai,
P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-08-2019 Heard both sides.

The petitioner apprehends his arrest in Naubatpur P.S. Case No.336 of 2019 registered under Sections 457, 354A, 354D,504, 506 and 34 of the Indian Penal Code.

The informant alleged that the petitioner and two others entered into her house and made an abortive attempt to outrage her modesty. When the informant protested, petitioner and others are alleged to have assaulted her husband and other family members.

The learned counsel for the petitioner submits that the husband of the informant is a drunkard. Naubatpur P.S. Case No.400 of 2019 is registered against the husband of the informant under Section 37(b) and (c) of Bihar Prohibition and Excise Act. It is further submitted that from perusal of the F.I.R. itself, it would appear that informant disclosed cooked up story and the petitioner himself showed his face in the light of cell. The petitioner and other accused persons are next door neighbours of the informant. The husband of the informant had



taken money but did not return the same and on account of such dispute, the petitioner has been implicated in the case but it appears from perusal of the F.I.R. that the informant made allegation that the petitioner and two others entered into her house and made an attempt to outrage her modesty at the point of pistol. On alarm, the accused persons are said to have assaulted the husband and other family members of the informant.

It appears that there is no chit of paper to show that husband of the informant had borrowed any money from the petitioner and any other persons. Naubatpur P.S. Case No.400 of 2019 was registered much after the present occurrence and the same has got no relation with the present F.I.R. in which there is specific allegation against the petitioner.

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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