

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54957 of 2019**

Arising Out of PS. Case No.-9 Year-2019 Thana- SUKHANI District- Kishanganj

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JAWED @ JAWED ALAM S/o- Kalimuddin, Resident of Nikarbari, P.S.-
Sukhani, District- Kishanganj. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Sinha

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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

3 16-11-2019 Heard both sides.

The petitioner apprehends his arrest in Sukhani P.S.
Case No.09 of 2019 registered under Sections 354(B) and 34 of
the Indian Penal Code and under section 8 of POCSO Act.

The informant alleged that on 15.03.2019 she was all
alone in her house because her family members had gone to
attend marriage. Jawed (petitioner) entered into her house and
began to tease her. When the informant protested, the petitioner
stuffed clothes in her mouth and dragged her inside the house.
The petitioner made all efforts to outrage her modesty after
tearing her clothes, but the informant raised alarm and on such
many persons came there but the petitioner managed to flee
away.

Learned counsel for the petitioner submits that the
occurrence took place on 15.03.2019 but the F.I.R. was lodged
on 07.04.2019. There is inordinate delay of about three weeks in



lodging the case. The informant adopted such method to put pressure on the petitioner so that the petitioner may solemnize marriage with her. The petitioner refused to solemnize marriage with the informant because the informant is minor. It is further submitted that the entire allegation is false and concocted.

From perusal of the case-diary, it appears that the informant made allegation against the petitioner that while she was all alone in her house, the petitioner entered into her house and made an attempt to outrage her modesty. During course of investigation, almost all witnesses have stated that the petitioner made an attempt to outrage her modesty. The delay was caused due to holding panchayati.

Having considered the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the prayer for regular bail of the petitioner without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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