

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70835 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- MAHILA PS District- Katihar

MD. AKALAM @ AKALAM S/o- Late Naimuddin R/o- Chaundi, P.S.-
Barsoi, District- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 354(B), 442, 506 & 323 of the Indian Penal Code.

The prosecution case in short, is that while the informant used to reside in her house alone with her children as her husband had gone outside the state to earn his livelihood. Allegedly, the accused-petitioner having found the informant alone, entered her house and tried to outrage her modesty.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is named in the FIR. The petitioner has falsely been



implicated in the present case. The occurrence is said to have taken place on 27-06-2019. The case was instituted on 11-07-2019. The delay in instituting the FIR has not been explained by the prosecution. The informant is in the habit of instituting such type of cases against the other persons also. The present case has been instituted for oblique reasons.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Mahila P.S. Case No. 39 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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