

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77689 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- SURYAPUR District- Rohtas

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1. MUNNA KUMAR Son of Shri Narayan Yadav Resident of Village- Dhago, P.S.- Suryapura, District- Rohtas at Sasaram.
 2. Papu Kumar @ Pappu Kumar Son of Kedar Singh Resident of Village- Dhago, P.S.- Suryapura, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Singh

For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-11-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Surajpura P.S. Case No. 49 of 2019 for the offence registered under Sections 341, 323, 354B, 506 and 34 of the Indian Penal Code.

The allegation of the prosecution against the petitioners is that they had forcibly entered into the house of the victim and had tried to outrage her modesty. It has been further alleged that the petitioners had torn the clothes of the victim.

The learned counsel for the petitioners has submitted that the petitioners are innocent and they have been falsely implicated in the present case inasmuch as no such incident had



taken place and in fact some argument had taken place amongst the female members of both parties. It is further submitted that the petitioners have clean antecedents.

I have heard the learned counsel for the parties and perused the materials on record. It is apparent from the impugned order dated 30.04.2019, passed by the learned court of IXth Additional Sessions Judge, Rohtas that the same Court vide order dated 22.04.2019 had granted interim protection from arrest to the petitioners herein so that they could join investigation. However, the petitioners had not only failed to join investigation but they had also not made themselves available for investigation before the S.H.O., Police Station-Surajpura.

Having regard to the facts and circumstances of the case and considering the gravity of the offence alleged to have been committed by the petitioners, apart from the fact that the conduct of the petitioners has been very poor, as aforesaid, this Court is of the opinion that the petitioners do not deserve the privilege of anticipatory bail, hence the present petition stands rejected.

(Mohit Kumar Shah, J)

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