

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80230 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- MAHILA P.S. District- Patna

MUKESH KUMAR (Male), aged about 36 years, Son of Kailashpati Lal,
Resident of House No. 2, Ram Nagar, Janipur, Road Near Devi Asthan, P.S.-
Phulwari Sharif, Distt – Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Rajesh Kumar Sinha, Advocate.
For the State	:	Mr. Mukeshwar Dayal, A.P.P.
For the Informant	:	Mr. Rajesh Ranjan and Mr. Pandey Sanjay Sahay, Advocates.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioner, learned
counsel for the O.P. No. 2 and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 376/511 and 354 of the
IPC.

The prosecution story, in brief, is that on 21.08.2019,
when the informant had gone her office for Biometric, then this
petitioner, the owner of Centre of Online S.M.C. System, has
tried to use undue force against her. She has jointed there since
02.08.2019 and the petitioner had earlier also tried to commit



similar offence and he also threatened if she will complain with administration, it will not be good for her. It has also been alleged that all the occurrence is recorded in C.C.T.V. Camera.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The informant happens to be the employee of the said Center and due to certain differences in the office, she has instituted this false case. At best, it is a case for an offence under Section 354 of the IPC. The same is triable by the Magistrate.

On behalf of the learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M., Patna, in connection with Mahila P.S. Case No. 91/19, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

