

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 78989 of 2019**

Arising Out of PS. Case No.-82 Year-2017 Thana- SURYAPUR District- Rohtas

Ashok Singh, aged about 38 years, Male, Son of Ram Narayan Singh Resident of Village- Barun Tand, Police Station- Suryapure, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

ORAL ORDER

2      18-12-2019                      Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Suryapura P.S. Case No. 82 of 2017 registered for offences under sections 341, 323, 504, 379, 354/34 of the Indian Penal Code.

In the present case, an allegation has been made that the accused persons were found assaulting the nephew of the Informant by cricket bat and also hurling abuses. When the Informant went there, the accused persons started abusing her and also assaulted her. Ashok Singh, the present petitioner, caught hold her hair and dragged her due to which her bangles broke and they also tried to outrage her modesty.

Section 41-A of the Cr.P.C. prescribes that the



police, having reasonable belief, may call any person for the purpose of holding enquiry and it has further been provided that the police shall not arrest any person subject to a condition if he forms an opinion which will be recorded by the police officer of commission of cognizable offence.

In the present case, the petitioner was called for by the police under Section 41-A of the Cr.P.C. but, was not arrested and, later on, he was left.

Looking to the fact that there being no such injury on the son of the Informant and the allegation of outraging the modesty is super-addition, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Suryapura P.S. Case No. 82 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is



also made clear that if the petitioner is repeats the similar  
offence in future, the prosecution will be at liberty to file an  
application for cancellation of the bail.

**(Shivaji Pandey, J)**

rishi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

