

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12270 of 2020**

Arising Out of PS. Case No.-295 Year-2019 Thana- CHANDAUTI District- Gaya

MD. SHAHID @ MD. SHAHID MIYAN Son of Md. Khurshid Mian
Resident of Village-Kesru Dharampur, P.S.-Chandauti, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

5 15-12-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Chandauti P.S. Case No. 295 of 2019, registered for the offence punishable under sections 354-B, 341, 323, 354, 504 and 506 of the Indian Penal Code.

As per allegation in the FIR, it is stated that on the date of occurrence, the petitioner had hidden himself on the terrace of the house of the informant. On being discovered, it is stated that he started to hurl abuses on the members of family of the informant. He was carrying a stick and was insisting on marrying the daughter of the informant.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and



concocted. It is submitted that the petitioner happens to be the neighbour of the informant and from perusal of the allegations against him, it would transpire that he is alleged to have troubled the informant's daughter for the last three months. It is thus submitted that there has been no complaint against the petitioner in the past, all the allegations have been fabricated against him and there is even delay in lodging of the present FIR. No offence under section 354-B is made out against him. He has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Case dairy called for in the case has been received.

Having heard learned counsel for the parties and on going through the materials on record, it transpires that the petitioner is not only the sole accused but there is direct allegation against him of abusing the informant's family and misbehaving with his daughter, which is supported by the witnesses in course of investigation. The Court is not inclined to enlarge the petitioner on anticipatory bail and, as such, the same is rejected.

(Partha Sarthy, J)

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