

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25559 of 2020

Arising Out of PS. Case No.-247 Year-2019 Thana- PIYAR District- Muzaffarpur

MD. DANIS @ MD. DANISH S/o Md. Aslam, Resident of Bangari, P.S-Piar
(O.P-Hattha), District-Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Adv.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-10-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Piar (O.P.-
Hattha) P.S. Case No.247 of 2019 registered under Sections 341,
323, 506, 376, 511 and 34 of the Indian Penal Code.

The informant alleged that while she had gone to see
her field, the petitioner Md. Danish and Md. Shamsheer came
and asked her to withdraw the case. The informant replied that
she would not withdraw the case at any cost. It is alleged that on
such reply, both accused persons caught her hands, took her
down on the ground, torn her clothes and made an attempt to
commit rape with her. On alarm, many persons came there and
saved the informant and took her to her house. She was treated
at Sadar Hospital, Samastipur.

Learned counsel for the petitioner submits that prior



to institution of the present case, the informant had earlier lodged the case against the petitioner under Section 307 and other sections of the I.P.C. The present case is lodged due to enmity. The petitioner never caught the informant and tried to outrage her modesty, but it appears that there is specific allegation against the petitioner and Md. Shamsher that both accused persons caught her hands, took her down on the ground, torn her clothes and made an attempt to commit rape with her. The witnesses have also reiterated the fact.

Having considered the facts and the nature of allegations made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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