

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80135 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- HASPURA District- Aurangabad

Surendra Singh @ Surrendra Singh, aged about 65 years (M) (in FIR age wrongly given as 55 years) sex-Male, Son of late Ramjanam Singh Resident of Village - Purhara, P.S.- Haspura, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yugal Kishore and Mr. Rupa Kumari, Advocates
For the Opposite Party/s	:	Mr. Md. Parwej Khar, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 06-01-2020

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Haspura PS Case No. 98 of 2019 dated 01.08.2019 instituted under Sections 341, 323, 504, 354B, 506/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he had tried to outrage the modesty of the niece of the informant who used to attend tuition classes at the house of the petitioner.

4. Learned counsel for the petitioner submitted that he is in the profession of giving tuition to students for the last 25 years and such allegation has never been levelled against him. It was submitted that the victim was his student for the last five years,



but for the last two years, no tuition fee was paid and just to usurp the amount, false case has been lodged. It was further submitted that the petitioner is in custody since 14.11.2019.

5. Learned APP submitted that the defence of the petitioner that for the last two years, no tuition fee was paid is absolutely no valid ground and is also not convincing that a girl's uncle would lodge a case by which her social prestige is lowered only to deny payment of tuition fee. It was submitted that if for the last two years, no payment was made, there was no occasion for any case, much less, the present case, being filed as the petitioner has not lodged any protest before any authority or person with regard to non payment of his tuition fee. It was submitted that the victim was aged 11 years and she had been assaulted by the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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