

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82023 of 2019

Arising Out of PS. Case No.-524 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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AKASH KUMAR, Son of Mahangu Ram @ Mahngu Ram, Resident of
Mohalla- Ambedkar Nagar, Ward No.31, Baswariya, P.S.- Bettiah Town,
Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 448/354B,
of the Indian Penal Code.

Prosecution case is that on 17.07.2019, the informant
gave a written report to Bettiah Town Police stating that since
last about one year, the petitioner used to vex the informant.
During last month, in absence of the informant's husband, the
petitioner entered into the house of the informant, caught her
and tried to disrobe her. The informant raised alarm and on
account of the same her prestige was saved. Later on Panchayati
was held during which the petitioner tendered apology and the



matter was not reported to the police. On 09.07.2019 at about 7.00 pm, the petitioner in drunken condition entered into the house of the informant pointed a nalkatti towards her, pushed her over bed, torn her cloths and tried to outrage her modesty. Upon alarm raised by the informant and her two sons, the nearby people and informant's husband came and thereafter the petitioner fled away.

Learned counsel for the petitioner submits that the husband of the informant is elder cousin brother (Fufera Bhai) of the petitioner. The petitioner and his father have earlier filed an informatory application before Sub-Divisional Magistrate, Bettiah, West Champaran against the husband of the present informant and others stating inter alia that the petitioner and his father are being threatened to be implicated in false case. The petitioner has got no criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bettiah, West Champaran, in



connection with Bettiah Town P.S. Case No. 524 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J)

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