

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84959 of 2019

Arising Out of PS. Case No.-137 Year-2018 Thana- BAHERI District- Darbhanga

BHOLA YADAV Son of Late Kusheshwar Yadav Resident of Village -
Kamalpur Katavasa, P.S.- Baheri, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 26-06-2020 Heard both sides.

The petitioner apprehends his arrest in Baheri P.S.
case No. 137 of 2018 registered under Section 341, 323, 354B,
325 of the IPC.

The matter has been taken up through video
conferencing.

The informant alleged that while she had gone to ease
out the petitioner caught her from behind and made attempt to
outrage her modesty. When the informant protested the
petitioner assaulted her on her thigh and waist causing fracture
injury. On alarm many persons came and save the informant.

The learned counsel for the petitioner submits that the
occurrence took place on 28.05.2018 but the FIR was lodged on
03.07.2018. All the allegations are false and concocted. The



informant herself fell down on the ground and got fracture injury but the petitioner on account of enmity has falsely been implicated in the case.

The learned APP, however, opposed the prayer for anticipatory bail.

It appears that there is specific allegation that petitioner not only made attempt to outrage the modesty of the victim when she had gone to ease out but when the informant protested the petitioner assaulted her with hard and blunt object on her waist and thigh. The injury report shows that the victim got fracture injury in her right hip. The informant made her statement on the date of occurrence in DMCH, Darbhanga and thereafter her statement was sent to police station for registration and investigation which caused delay in registration of the case.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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