

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20560 of 2021

Arising Out of PS. Case No.-53 Year-2017 Thana- RAJAON District- Banka

MD. ASIF S/O MD. MANIR R/O VILLAGE DHAI HARNA P.S.-RAJOUN
DISTRICT BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects, as pointed out by the office, when called upon to do so by the office.

The petitioner is/are apprehending his/their arrest in connection with Rajoun P.S. Case No. 53 of 2017 for the offence registered under Sections 341, 323, 376, 511, 504 and 506 of the Indian Penal Code.

The prosecution case in brief is that on informant, Bibi Nazma and her sister Bibi Sahina went near Pokhar for call of nature, the petitioner case and caught the informant and tried to outrage her modesty. On protest, the petitioner assaulted the informant by fist, slaps and bricks due to which she sustained



injury on her mouth and leg. On hulla, villagers came and, in the meantime, the petitioner fled from the spot.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case at the instance of his wife.

Learned counsel for the State opposes the prayer for bail and submits that the petitioner is named in the first information report and there is direct allegation against the petitioner. As such, it is not a fit case for anticipatory bail.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

However, the petitioner is directed to surrender before the court below and file an application for regular bail on which the court below may pass necessary orders in accordance with law without being prejudiced by the present order.

(Sunil Kumar Panwar, J)

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