

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27900 of 2020**

Arising Out of PS. Case No.-99 Year-2020 Thana- BAGHA District- West Champaran

IRFAN BAITHA @ MOHAMAD IRFAN S/o Md. Husain Baitha Resident of
Village- Bhairoganj, P.S.- Bagaha (Bhairoganj), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mitali, Advocate
For the Opposite Party/s : Mr. A.M.P. Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-02-2021 Let the learned counsel for the petitioner remove
the defect(s), as pointed out by the office vide its notes dated
17.10.2020, within four weeks from today.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bagaha (Bhairoganj) P.S. Case No. 99 of 2020, registered
under Sections 341, 323, 448, 354 and 307 of the Indian Penal
Code, pending in the court of the learned A.C.J.M-I, Bagaha,
West Champaran.

The accusation is that informant Shahnaj Khatoon
was alone at her house on 18.02.2020 at about 11.00 A.M. In the
meantime, on seeing the informant alone, Irfan Baitha
(Petitioner), with bad intention, came near her and tried to



outrage her modesty. When she raised alarm then petitioner moved from there after giving iron rod blow at her head.

Learned counsel appearing on behalf of petitioner submits that informant and petitioner are next door neighbour. Further submission is that, in fact, Abdul Rahman Sah, husband of informant, had taken loan of Rs. 5000/- for urgent work from petitioner, later on, when the petitioner made demand of money then with ulterior motive, Abdul Rahman Sah, husband of informant, managed to lodge the present case. Further submission is that the injury found on the person of informant is 1"x1/2", which is simple in nature.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-arrest bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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