

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28564 of 2020

Arising Out of PS. Case No.-48 Year-2020 Thana- NARAINPUR District- Bhojpur

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Naveen Kumar Chaudhary @ Navin Kumar, S/o Brindanand Chaudhary @
Brinda Kumar Chaudhary, Resident of Village- Dhobari, P.S.- Narayanpur,
District- Bhojpur (Ara) Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bhim Sen Prasad, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 27-01-2021 Heard learned counsel for the petitioner and Mr. Raj
Kishore Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking pre-arrest bail in
connection with Narayanpur P.S. Case No. 48 of 2020 registered for
the offences punishable under Sections 323, 354(B), 379, 504 and
506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
informant in her written report alleged that while she was sleeping in
her house the petitioner entered there and tried to outrage her
modesty on which she protested then the accused abused her and
went away by giving threat.

Learned counsel submits that the petitioner is innocent
and has falsely been implicated in this case. It is submitted that the
petitioner is neighbour of the informant and due to old enmity,
present false case has been lodged.

Learned A.P.P. for the State has opposed the prayer for



anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein there are allegations against the petitioner that he had entered in the house of the informant where she was alone sleeping there and he had indulged in outraging the modesty of the informant, the F.I.R. itself was lodged on the same date and it is informed by learned A.P.P. for the State that the charge-sheet has already been filed against the petitioner finding the cases true, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Prayer is refused.

In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

The observation with regard to surrender in the court below within a period of four weeks shall not be construed as granting any interim protection to the petitioner for the aforesaid period.

Application is dismissed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

