

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30576 of 2020

Arising Out of PS. Case No.-302 Year-2019 Thana- DESARI District- Vaishali

VIKASH KUMAR SINGH Son of Raghubir Prasad Singh Resident of
Village- Chak Jamal, P.S.- Sahdei, District.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amresh Kumar Sinha, Advocate
For the State	:	Mr. Ashok Kumar Singh, A.P.P.
For Informant	:	Mr. Sabal Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-02-2021 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel
for the informant.

The petitioner has filed the instant application for
grant of anticipatory bail apprehending his arrest in connection
with Desri P.S. Case No. 302 of 2019 registered for the offence
under Sections 341, 323, 354B, 447 and 34 of the Indian Penal
Code.

As per allegation in the first information report, it is
stated by the informant that while she proceeded for her tuitions,
the petitioner used to misbehave with her. It is stated that on the
date of occurrence, seeing her to be alone, he caught hold of her
hand and attempted to take her away and on her shouting, her



brother came over. Thereafter, it is stated that the accused persons beat up the informant's brother and the occurrence was witnessed by others.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the first information report are false and concocted. He has been falsely implicated in the case for oblique reasons. It is submitted that the petitioner happens to be the brother of co-accused Navin Kumar Singh. At best, the allegation against the petitioner is that he caught hold of the hand of the informant and asked her to marry, although the said allegation is absolutely false. It is submitted that except for section 354B of the Indian Penal Code, all the other sections are bailable. Further referring to the petition signed and filed by large number of villagers before the police authorities, it is submitted that no such occurrence ever took place. The petitioner has no criminal antecedent.

Application of anticipatory bail is opposed by learned Additional Public Prosecutor for the State and learned counsel for the informant.

Having heard learned counsel for the parties and on going through the materials on records, it transpires that there is allegation against the petitioner of having not only misbehaved



with the informant on the date of occurrence but of similar conduct even in the past. The same has been supported by the witnesses in course of investigation. Thus, the Court is not inclined to enlarge the petitioner on anticipatory bail and the same is rejected.

(Partha Sarthy, J)

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