

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31681 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- KAJRAILICHAK District- Bhagalpur

Md. Imdadullah @ Md. Imdad (Male), aged about 30 years, Son of Md. Akram Resident of Village- Simaria, P.S.- Kajraili, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Najmul Hodda, Advocate
For the State	:	Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 12-02-2021

Heard Mr. Md. Najmul Hodda, learned counsel for the petitioner and Mr. Sunil Kumar Pandey, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Kajraili PS Case No. 30 of 2020 dated 05.05.2020, instituted under Sections 341/323/448/354B/379/504/506/34 of the Indian Penal Code and 8 of the Protection of Children from Sexual Offences Act, 2012.

3. The allegation against the petitioner is that he had outraged the modesty of the minor daughter of the informant.

4. Learned counsel for the petitioner submitted that the parties are neighbours and there is false implication as the



informant wanted the petitioner to marry with their daughter but because his marriage was fixed somewhere else he has been falsely implicated. Learned counsel submitted that the petitioner has no other criminal antecedent.

5. Learned APP submitted that no parent would make such false allegation at the cost of ruining the reputation of their daughter and further that the girl herself in her statement before the Court under Section 164 of the Code of Criminal Procedure, 1973, supported the prosecution story.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the Court below and prays for bail within four weeks from today, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J)

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