

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31755 of 2020

Arising Out of PS Case No.-35 Year-2020 Thana- MAHILA PS District- Siwan

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Prahlad Chaudhary @ Pahalad Chaudhari, aged about 50 years, Gender- Male, Son of Late Gorakh Yadav, Resident of Village - Khaidhai Tola, Hata, PS - Andar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate

For the State : Mr. Arun Kumar Singh No. 5, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 20-02-2021

Heard Mr. Prakash Chandra Jha, learned counsel for the petitioner and Mr. Arun Kumar Singh No. 5, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Siwan Mahila PS Case No. 35 of 2020 dated 08.06.2020, instituted under Sections 341/323/354/379 of the Indian Penal Code.



3. The allegation against the petitioner and the other co-accused, who is his son, is that the other co-accused entered the room of the informant at night and tried to outrage her modesty and when she raised an alarm, he ran away and the informant and her mother-in-law made a complain to the petitioner that he along with other co-accused assaulted them.

4. Learned counsel for the petitioner submitted that they are agnates and there is dispute between the parties and further that the petitioner has no criminal antecedent. It was submitted that co-accused Golu Yadav @ Golu Kumar Yadav has been granted Anticipatory Bail on 06.01.2021 in Cr. Misc. No. 31464 of 2020.

5. Learned APP submitted that no details of any dispute has been pleaded or brought on record and further that the injury report shows that there was abrasion on the breast of the informant redness and abrasion on abdomen and abrasion on right wrist, which corroborates the allegation of assault. It was further submitted that the petitioner being the father, instead of reprimanding his son had become the aggressor, that too, on the ladies.



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

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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