

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6856 of 2021

Arising Out of PS. Case No.-42 Year-2020 Thana- PANDAUL District- Madhubani

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Suraj Rai @ Suraj Kumar Rai, male, aged about 20 years, Son of Dinesh Rai,
R/o village- Budhan Jha Tole, Pandaul, P.S.- Pandaul, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 14-12-2021 Heard Mr. Shailendra Kumar Jha, the learned

Advocate for the petitioner and the learned APP for the

State.

The petitioner seeks bail in anticipation of his
arrest in connection with Pandaul P.S. Case No. 42 of 2020
(CRI 307 of 2020), dated 20.02.2020, instituted for the
offences under Sections 341, 323, 354, 379, 504, 506 and
34 of the Indian Penal Code.



The accusation against the petitioner and his associates is of attempting to molest the victim/prosecutrix while she was on her way to home. When this was protested, the petitioner and others entered the house of the informant and assaulted the members of the family.

It has been submitted on behalf of the petitioner that an absolutely false case has been lodged against him and his associates. It has further been submitted that there is a land dispute between the parties and precisely for this reason, the subject F.I.R. has been lodged. Despite the allegation of assault on many persons of the family of the prosecutrix, there is no injury report on record.

Considering the nature of accusation against the petitioner of having attempted to molest the victim girl, I am not inclined to grant him anticipatory bail.

The prayer for grant of anticipatory bail to the petitioner is, accordingly, rejected.

However, if he surrenders before the Court below and seeks bail, the Court below, after taking into account that the parties are next-door neighbours and there could be



a possibility of false implication of the petitioner, shall pass order in accordance with law, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The application stands dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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