

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6980 of 2022

Arising Out of PS. Case No.-372 Year-2021 Thana- NAUBATPUR District- Patna

MANISH KUMAR Son of Subodh Kumar @ Davendra Paswan Resident of
Village - Shahar Ramour, Ward no.13, P.s.- Naubatpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shaishav Kumar, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354 (B), 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a young boy of 20 years of age, it is next submitted that the informant alleges that on 28.07.2021 at 7:00 PM when his daughters, Priyanka and Rubi, went to attend nature's call when accused Manish Kumar started using filthy language against his daughter and even outraged their modesty, it is next alleged that when the informant came to know about the occurrence, he went to the house of Manish to enquire, when it is alleged that the petitioner



along with Pawan, Dheeraj, Sunny, Ankit and Upendra came to the house of the informant armed with lathi and danda and assaulted the informant and his brother causing injury on their head and when Rubi and Priyanka came to rescue the informant, it is alleged that they were also assaulted by the accused persons and Sunny Kumar assaulted on hand of Priyanka causing fracture.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner and the daughter of the informant were known to each other, it is next submitted that since the informant had seen the petitioner talking to his daughter as such he objected on which the present occurrence took place and both side assaulted each other, it is next submitted that the FIR also does not disclose that what kind of abuse was hurled by Manish against the daughters of the informant, it is further submitted that as far as outraging modesty is alleged the same is ornamental in nature and the allegation of assault is also general and omnibus as specific allegation of assault is against family members, the learned counsel for the petitioner submits that the injuries suffered by the informant and his brother are simple in nature as would be evident from Annexure-2 to the anticipatory



bail application.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naubatpur P.S. Case No. 372 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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