

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30119 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- MAHILA P.S. District- Samastipur

Ramjee Matho Son Of Sukhdev Mahto @ Sukhdeo Mahto @ Sikdev Mahto
R/O- Vill- Maricha, P.S.- Tajpur (Halai O.P.), Dist.- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Samastipur Mahila (Women) P.S. Case No. 10 of 2022 registered for the offences under Sections 354, 354A, 354B, 307, 341, 323, 324 of the Indian Penal Code.

As per prosecution's story, the petitioner who happens to be the father of the informant always used criminal force to outrage the modesty of the informant and on the alleged date and time of the occurrence he tied up the hands and legs of the victim with some cloth and thereafter started disrobing the



victim and then victim's mother and elder brother's wife (sister-in-law) arrived and tried to safeguard the victim but in the meantime the petitioner assaulted on the head of the victim by means of Gandasa and fled.

The main submissions advanced by learned counsel Mr. Vinay Kumar Mishra for the petitioner are that the allegation made in the FIR is false, the close relatives of the victim has not supported the allegation during the investigation and the said victim has compromised with this petitioner and the petitioner has been languishing in jail since 13th February, 2022.

Learned APP Mr. Chandra Sen Prasad Singh appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. The victim is stated to be daughter of the petitioner and she has made a serious allegation of disrobing her against her father who is the petitioner and as per allegation when he tried to disrobe the informant then she was also assaulted by the petitioner by means of Gandasa and the victim sustained head injury. The allegation is very serious in nature and the petitioner not only tried to disrobe his own daughter but also assaulted her vital part of body by means of sharp weapon when she and her mother resisted the alleged act of the petitioner. Considering the nature



of allegation appearing against the petitioner this Court is not inclined to grant regular bail to the petitioner. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J.)

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