

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33550 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- CHORAUT District- Sitamarhi

PRABODH MUKHIA @ PRABODH MUKHIYA Son of Late Kishori
Mukhia Resident of Village - Parigama, P.s.- Chorout, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-09-2022 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, 324, 354(B), 447, 379, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that in absence of her husband who in connection with his work remain outside the state, the petitioner in drunken condition used to outrage her modesty, it is next alleged that on 05.02.2022 at about 02:00 PM, the petitioner in a drunken condition entered her house, when she was taking rest, and tried to commit rape and touched her inappropriately and tore her blouse and assaulted her and when nearby people came the



petitioner fled after snatching her ornaments.

Learned counsel for the petitioner submits that from bare perusal of allegation as alleged in the FIR it would manifest that the informant alleges that the petitioner in drunken condition used to misbehave with her but she never complaint, it is next submitted that since the petitioner and the informant were known to each other and the petitioner had come to the house of informant and when people of the locality came the informant got disturbed and falsely implicated, the petitioner by alleging that he was trying to misbehave with her and touched her inappropriately, it is next submitted that if what has been alleged in the FIR is true, then why the informant did not institute an FIR promptly.

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 Chorout P.S. Case
No. 21 of 2022 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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