

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33671 of 2022**

Arising Out of PS. Case No.-414 Year-2020 Thana- SAUR BAZAR District- Saharsa

MAHADEO KUMAR @ SURAJ KUMAR Son of Late Ramchandra Pandit  
Resident of Village - Bhaptiya, P.s.- Sour Bazar, Distt.- Saharsa (Bihar)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anant Kumar 1

For the Opposite Party/s : Mr. Parmanand Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      26-09-2022                      Heard learned counsel for the petitioner and  
  
learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to  
remove the defects within three weeks. In the eventuality of  
non-removal of defects within undertaken period, the office  
will place the matter before the Bench.

The petitioner apprehending his arrest in a case  
registered for the offence punishable under Sections 363,  
366(A) and 34 of the Indian Penal Code.

Petitioner is said to have harassed the informant's  
daughter when she goes for tuition class.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has been falsely implicated in this  
case. He submits that the petitioner loves with the victim and



he wanted to marry her i.e. only allegation against the petitioner. He submits that the statement of the victim has been recorded under Section 164 of the Code of Criminal Procedure before the learned Court below in which she has clearly stated that no any sexual assault upon the victim by the petitioner. He submits that only on suspicion the petitioner was made accused in the present case and there is no eye witness in this case. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that victim in her statement recorded under Section 164 of Cr.P.C has supported the prosecution case.

Considering the facts and circumstances of the case, I am not inclined to grant petitioner on anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Sour Bazar P.S. Case No. 414 of 2020.

**(Anjani Kumar Sharan, J)**

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