

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6400 of 2023

Arising Out of PS. Case No.-43 Year-2022 Thana- KUDHNI District- Kaimur (Bhabua)

RISHIKANT @ GABAD @ RISHIKANT KUMAR SON OF CHHOTELAL
RAM R/O VILLAGE- KUMHARI, P.S.- KUDHANI, DISTRICT- KAIMUR
AT BHABUA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 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, 504, 506,
354, 379/34 of the Indian Penal Code.

Allegedly, when the daughter of the informant was
returning her home, petitioner outraged her modesty and on
complain, the petitioner along with other accused persons
assaulted the informant and her relatives.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged ever took place. He has been falsely
implicated in this case due to dirty village politics. The
allegation levelled against the petitioner is not specific rather



general and omnibus in nature. There is case and counter case between the parties. Both the parties sustained injuries. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of case, as there is specific overt act against the petitioner that he outraged the modesty of the informant's daughter, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail and the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender considering the fact that petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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