

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28261 of 2023**

Arising Out of PS. Case No.-1039 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

=====

MONU KUMAR Son of Ram - Pravesh Singh Resident of Village-Mayapur,
P.S.-Wazirganj, District-Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 448 and
354 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent.
4. The complainant alleges that petitioner was known
to her and used to tease her on way to coaching, on which she
was made to change the coaching classes, next alleges that one
day petitioner came to her house and tried to outrage her
modesty but on alarm, he fled, thereafter a *Panchayati* was held
and the tension was diffused for some time between the parties,



thereafter again on 04.06.2018 the petitioner came to her house and tried to force himself on her on which she raised an alarm and petitioner fled.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged, it would manifest that the date of occurrence is 04.06.2018 and the complaint came to be filed on 12.06.2018 i.e. after a delay of more than 8 days, it is next submitted that no doubt the petitioner and the informant are known to each other and are friends and on 04.06.2018, the petitioner had gone to meet the informant, but her family members assaulted him badly for which he instituted an FIR being Tankuppa P.S. Case No. 76 of 2018 Dated 04.06.2018 and it was only after institution of the FIR, that the family members of the complainant pressurized her to institute the present complaint by way of an afterthought. It is also submitted that from perusal of the allegation also, it would manifest that allegation is only of attempt and it absolutely does not stand to reason that the petitioner would have come to the house of the complainant in presence of her parents to commit an occurrence, rather since the petitioner was known to the complainant, as such he had come to meet, but was assaulted.



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

7. 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 Complaint Case No. 1039 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

