

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35617 of 2023

Arising Out of PS. Case No.-258 Year-2021 Thana- MAHNAR District- Vaishali

Raushan Kumar @ Raushan Kumar Singh S/O Kedar Singh R/O Village
Ward No.4, Hasanpur, P.S-Mahnar, District-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Adv.

Ms. Saloni Sinha, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Mahnar P.S. Case No. 258 of 2021 registered for the offences punishable under Sections 323, 341, 354A, 354B, 379, 447, 504 and 34 of the Indian Penal Code, pending in the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

3. As per the prosecution case, the petitioner entered into the house of the informant and caught hold of the informant and tried to disrobe her in inebriated condition and when informant's younger brother and sister came to rescue her then he also assaulted them.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific allegation against the petitioner and the petitioner had no hand in committing the alleged crime. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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