

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65893 of 2022

Arising Out of PS. Case No.-244 Year-2022 Thana- MUNGER MUFFASIL District- Munger

Nilesh Kumar S/O Sadanand Paswan R/O Village and Post- Jogia, P.S-
Shambhuganj, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office,
be removed within a period of four weeks from today.

In the present case, the petitioner is apprehending his
arrest in connection with Muffasil P.S. Case No. 244 of 2022
registered for the alleged offence under Sections 341, 323,
354(A), 379, 504, 506 of the Indian Penal Code.

As per prosecution case, the allegation against the
petitioner is that he is the nephew of the husband of the
informant and he used to try to outrage the modesty of the
informant. On the date of occurrence, he took away Rs. 40,000/-
and ornaments worth of Rs. 60-70 thousand from the informant
on gunpoint.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. All the offences are bailable except Section 379 of the IPC, which is merely a super-addition and is not attracted against the petitioner. Nothing incriminating has been recovered from the possession or house of the petitioner. In fact, the petitioner has been living at his *Nanihal* and informant being the aunt of the petitioner did not like it and has filed a false case against the petitioner.

Learned A.P.P. for the State opposes the prayer for bail submitting that the petitioner took away cash and ornament on gunpoint from the informant.

Having regard to the facts and circumstances and submission made on behalf of the parties, I do not think it to be a fit case for grant of anticipatory bail. Hence, the prayer for anticipatory bail is rejected.

(Arun Kumar Jha, J)

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