

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71192 of 2022

Arising Out of PS. Case No.-183 Year-2022 Thana- HATHAURI District- Muzaffarpur

BINAY RAI @ VIDHAYAK RAI SON OF ASHARFI RAI R/O VILLAGE-
PERAI DAKSHINI, P.S.- HATHAURI, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-03-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Hathauri P.S. Case No.183 of 2022, registered for the offence punishable under Sections 341, 323, 354(B), 308, 504, 506/34 of the Indian Penal Code read with section 3/4 of the POCSO Act.

The allegation against the petitioner is that the petitioner assaulted the informant's daughter and also tried to outrage her modesty.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. There is no specific overt act against the petitioner. There is previous enmity between the parties. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the victim has supported the prosecution case in her statement recorded u/s 164 of Cr.PC.

Having regard to the facts and circumstances of the case as well as considering the statement of victim recorded u/s 164 Cr.PC, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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