

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81010 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- AIRPORT District- Patna

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RUSTAM KUMAR @ CHANDAN KUMAR S/O BINDESHWAR RAM
RESIDENT OF KHAJPURA, P.S. HAWAI ADDA, DIST.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Hawai Adda P.S. Case No.31 of 2023, registered for the offence
punishable u/s 341/323/324/354/379/504/506/34 of the IPC.

3. Allegation against the petitioner is that he used to touch
the victim inappropriately and tried to outrage her modesty and
on protest by the mother of the victim, the co-accused persons
assaulted her. One Bindeshwar Ram, assaulted the brother of the
informant.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to ulterior
motive. No such occurrence in the manner as alleged has ever



taken place. There is general and omnibus allegation against the petitioner and due to prior enmity, the petitioner has been implicated in this case. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner of trying to outrage modesty of the victim. The victim is a minor of 14 years and she has supported the prosecution case, in her statement recorded u/s 164 Cr.P.C.

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

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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