

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9942 of 2024

Arising Out of PS. Case No.-160 Year-2022 Thana- HATHAURI District- Muzaffarpur

Deelip Sahani @ Dilip Sahani Son of Kailu Sahani R/o vill - Simari Basant,
P.S. - Hathauri, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Hathauri P.S. Case No. 160/2022 registered under Sections 341, 323, 354(B), 448, 452, 504, 506 and 376/34 of the Indian Penal Code lodged on 07.06.2022 by the informant, Sudha Kumari.

3. As per the prosecution story, the informant has alleged that she was sleeping in her house when Jitu Sahani and Dilip Sahani entered. Jitu Sharma caught her while Delip Sahani put cloth in her mouth and Jitu Sahani tried to outrage her modesty and when she raised alarm, both of them escaped. Further allegation is that she was also assaulted.

4. Learned counsel for the petitioner tried to submit



that his case is similar to Jitu Sahani as allegation is/are on both of them.

5. Mr. Aditya Narayan Singh, learned APP for the State opposes the prayer for bail and submits that his bail was considered after he was taken into judicial custody. He further submits that FIR is of the year, 2022 and the petitioner has chosen to delay coming either to judicial custody or filing of appropriate petition and as such, he does not deserve anticipatory bail.

6. This Court finds force of the learned APP for the State, the petitioner is named along with Jitu Sahani who admittedly was granted bail, despite the grant of bail in August, 2023 to him (Jitu Sahani) he chose to delay coming to the Court and/or surrender and in that background anticipatory bail application stands rejected.

7. If the petitioner surrenders within a period of four weeks from today and files bail petition, the same shall be considered and disposed of preferably on the same day. .

(Rajiv Roy, J)

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