

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9136 of 2024

Arising Out of PS. Case No.-1536 Year-2016 Thana- COMPLAINT CASE District- Jamui

Pradip Das @ Pradeep Das son of Mahendra Das Vill- Najaria Ps- Laxmipur
Dist- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kuldeep Das S/o Late Bhuna Das R/o Village - Nagaria, P.S. Laxmipur,
District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Raj

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
354 and 435 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of three cases and the complainant
alleges that on 01.02.2016 at about 09:00 PM while he along
with his wife were in house when this petitioner entered in a
drunken condition and tried to outrage the modesty of his wife
and on raising alarm, the family members came and tried to
apprehend the petitioner but he fled after the scuffle.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that it absolutely does not stand to reason that when the husband along with the entire family members are in the house why the petitioner in a drunken condition would have gone to the house of the complainant for outraging the modesty of his wife. It is next submitted that the mother of the petitioner had instituted Compliant Case No. 1475C of 2016 in the Court of learned Chief Judicial Magistrate, Jamui against the complainant and his family members, as such, in order to coerce the mother of the petitioner into submission, the instant false case came to be instituted. It is next submitted that if what has been alleged is true, in that event the complainant ought to have instituted an FIR so that the case could have been investigated but then after instituting a complaint, it becomes easy for the complainant to bring two witnesses for establishing his case for the purposes of cognizance.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 1536C of 2016 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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