

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12802 of 2024

Arising Out of PS. Case No.-738 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Harmun Sah son of Late Dudhnath Sah Village- Bairiya Khurd PS- Laukaria
Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi wife of Phulbadan Yadav Village- Bairiya Khurd Ps- laukariya
Dist- W. Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari
Ms. Prerna Anand
For the Opposite Party/s : Mr. Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2024 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 354 of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and has been falsely
implicated in the present case by the complainant alleging that
the petitioner attempted to commit rape. It is next submitted that
the learned Magistrate based on the material which transpired
during the course of inquiry took cognizance of offence under
Section 354 IPC. It is further submitted that the date of



occurrence is 17.12.2021 and the complaint case came to be instituted on 20.07.2022 i.e. after a delay of nearly more than 6 months without any plausible explanation.

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

5. 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. 738 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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