

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30889 of 2024

Arising Out of PS. Case No.-979 Year-2023 Thana- MADHEPURA District- Madhepura

Bipin Ram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Madhepura Bharrahi O.P. P.S. Case No. 979 of 2023 for the offence registered under sections 376, 511 and 380 of the Indian Penal Code lodged on 24.09.2023 by the informant, Kanchan Kumari.

3. As per the prosecution story, the informant alleged that due to severe heat, the door was opened as she was sleeping in her parent's home having come to attend a marriage, this petitioner entered and tried to remove her clothes. She immediately shouted, the family, neighbours came, the petitioner escaped but not before taking cash as also mobile. The locals called *panchayat* to punish him and also forced him to return the articles which he has taken but he came and



threatened the *panchayat*. This led to the F.I.R.

4. Learned Counsel for the petitioner submits that the contrary to the allegation of rape, at best it will come under the category of outraging the modesty.

5. Mr. Bharat Bhushan, learned APP, on the other hand, submits that the allegation is/are three folds inasmuch as he trespassed the house, tried to remove the clothes of the lady, on her shouting, escaped but not before taking away the mobile and cash amount. Further, when the *panchayat* tried to take control of the matter, he threatened them of dire consequences.

6. Considering the submissions put forward by the parties and the allegation that has come against the petitioner, it would be appropriate that he seeks bail.

7. The anticipatory bail application stands rejected.

8. However, if the petitioner surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose it of on the same day.

(Rajiv Roy, J)

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