

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55001 of 2024

Arising Out of PS. Case No.-1159 Year-2020 Thana- COMPLAINT CASE District- Banka

Subhash Mandal Son of Late Janki Mandal Resident of village - Mahauta,
P.S.- Amarpur, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reshami Devi Wife of Pairu Mandal Resident of village - Mahauta, P.S.-
Amarpur, District - Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-09-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 1159 of 2020 for the offence registered under sections 448, 323, 354(B) of the I.P.C lodged on 07.11.2020 by the informant Reshami Devi.

3. As per the prosecution story, the petitioner broke into the house of the complainant in a drunken condition and caught her breast tearing her Blouse, as she screamed, was assaulted, whereafter the case.

4. Though learned counsel for the petitioner tried to impress upon this Court that they are agnates and due to dispute



between them, the case.

5. Learned APP, Mr. Jitendra Kumar Singh submits that a bare perusal of the complaint would show how she has been sexually assaulted. He further submits that the complaint was filed in the year 2020 but four years later, he has sought the anticipatory bail. Learned counsel for the petitioner at this stage submits that a cognizance has been taken in the year 2022.

6. Even if the cognizance has been taken in the year 2022, still the petitioner took two long years in filing this anticipatory bail, the allegation that has come in the complaint, this Court does not deem it fit and proper to extend him relief.

7. Accordingly, Cr. Misc. No. 5501 of 2024 stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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