

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75373 of 2024

Arising Out of PS. Case No.-288 Year-2024 Thana- BARUN District- Aurangabad

Akash Kumar @ Bholu Babu S/o- Shri Upendra Prasad Resident of village-
Nasriganj Hariharganj PS-Nasriganj District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari W/o- Ujala Kumar Village- Nasriganj Hariharganj W.No-22,
Ps- Nasariganj Dist- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipesh Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2025 Heard Mr. Dipesh Kumar Thakur, learned counsel

for the petitioner and Mr. Vinod Shanker Modi, learned APP for

the State.

2. The petitioner is apprehending his arrest in
connection with Barun P.S. Case No. 288 of 2024, F.I.R. dated
26.06.2024 for the offences punishable under Sections 341, 354,
34 and 498A of the Indian Penal Code.

3. According to prosecution case, this petitioner who
happens to be the brother-in-law of the informant along with
one Dilip Kumar came at the house of the informant to take her
back to her matrimonial house. It is further alleged that while
they were sitting in a room, they tried to outrage the modesty of



the informant and on *hulla* raised by the informant, they fled away, locking the door from outside.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that he is brother-in-law of the informant. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R it appears that there is direct and specific allegation against this petitioner and apart from that the statement of the informant was recorded under Section 161 of the Cr.P.C./ Section 180 of Bhartiya Nagarik Suraksha Sanhita, 2023 in which she has supported the case of the prosecution.

6. Considering the nature of allegation as alleged in the F.I.R which was supported by the informant in her statement recorded under Section 161 of the Cr.P.C. / Section 180 of Bhartiya Nagarik Suraksha Sanhita, 2023, I am not inclined to grant the privilege of anticipatory bail to the petitioner in



connection with Barun P.S. Case No. 288 of 2024 pending in the
court of Chief Judicial Magistrate, Aurangabad, Bihar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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