

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2370 of 2025

Arising Out of PS. Case No.-431 Year-2022 Thana- FATEHPUR District- Gaya

Rajesh Kumar S/O Mithalesh Prasad @ Mithilesh Prasad R/O Village- Saliya Kala, P.S-Fatehpur, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Kumari W/O Sri Rajeev Sharma R/O Village- Saliya Kala, P.S-Fatehpur, District- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 08-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Fatehpur P.S. Case No. 431 of 2022 registered on 08.07.202 for the offenses punishable under Section 354B of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged against the present petitioner with the allegation that he unlawfully entered the house of the informant and attempted to outrage her modesty.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that the informant and the petitioner are co-villagers, and there exists a land dispute between the petitioner



and the informant's husband. It is also submitted that both the petitioner and the informant are married, and there had been a love affair between them. However, due to social pressure, a false case has been instituted against the petitioner. The petitioner has clean antecedents and no prior criminal history.

5. Learned APP for the State vehemently opposes the prayer for bail.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Fatehpur P.S. Case No. 431 of 2022, pending before the learned ACJM, X, Gaya is hereby rejected.

7. However, it is directed that the petitioner shall surrender before the Trial Court within a period of six weeks from today. In case the petitioner surrenders within this period, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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