

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88427 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- NTPC KHAIRA District- Aurangabad

Ashok Dom S/o Suresh Dom R/o Village- Surar, P.S.- N.T.P.C. Khaira,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with NTPC Khaira P.S. Case No. 49 of 2024 registered for the offences punishable under Section 76 of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, when the informant was going to attend nature's call, the petitioner came and tried to outrage her modesty. On raising alarm, informant's daughter came out and petitioner fled away. Thereafter, informant made a call on 112.

4. Learned counsel for the petitioner submits that from the perusal of FIR, it appears that the occurrence took place on 18.08.2024 and F.I.R. was lodged on 23.08.2024. He



further submits that there is delay of five days in lodging the F.I.R. despite being the police station is situated at a distance of 2 Kms. from the house of the informant. He further submits that no proper explanation has been given by the informant regarding the said delay which casts doubt upon the story of the prosecution. Learned counsel further submits that informant has taken Rs. 5,000/- from the petitioner and when the said amount has been demanded, informant lodged a case against the petitioner with intention to harass him and grab the said money. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad in connection with NTPC Khaira P.S. Case No. 49 of 2024, subject



to the conditions as laid down under Section 482 of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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