

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6575 of 2017

Arising Out of PS.Case No. -233 Year- 2016 Thana -SHASTRINAGAR District- PATNA

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Rajiv Ranjan, Son of Yogendra Rai, Resident of Civil Line Club, Civil Line, Buxar at Present residing at Sohani Patti, Buxar, P.S. Buxar (Town), District - Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyapal Singh

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 24-04-2017 Heard the learned counsel for the petitioner, the learned A.P.P. for the State as also the learned counsel for the Informant.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Shastri Nagar P.S. Case No. 233 of 2016 for the offences punishable under sections 376, 315, 341 and 323 of the I.P.C.

Allegedly, the petitioner developed friendship with the informant and after giving assurance to marry with her also developed physical relationship with her several times. She was aborted at the advice of the petitioner. She lived with the petitioner as husband and wife. He also prepared video. The father of the



petitioner also assured to perform marriage, but thereafter they started demanding flat in Delhi. On 03.02.2016 when the informant went to Delhi and met the petitioner he committed forcibly rape with her for two days and was trying to take away after boarding in a Cab, then the police was informed at 100 number and then her life was saved but no case was lodged at Delhi. The petitioner is causing threats to make the video viral and also is causing threats to kill all the family members.

Submission is of false implication and that no offence, as alleged, is made out, the informant is educated and major one, she gave her consent for physical relationship, she has lodged this false case after lodging of the case by father of the petitioner, vide Complaint Case No. 156 C of 2016, wherein the informant and her family members are accused and after filing of that complaint case the informant filed this false case and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that at Delhi rape was committed forcibly for two days and that was not the consented sex and as such the petitioner does not deserve bail.

In the facts and circumstances as stated above,



considering that at Delhi rape was committed forcibly for two days with the informant and as such I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Patna.

(Jitendra Mohan Sharma, J)

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