

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9053 of 2019

Arising Out of PS. Case No.-114 Year-2018 Thana- MAHILA P.S. District- Patna

CHANDRAKANT THAKUR Son of Chandeshwar Thakur resident of
Thakur Niwas, Plot No. 541, Barachak Asansol, P.S.- Asansol, District-
Bardhaman (W.B.) PIN713350.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.

For the Opposite Party/s : Mr. Dashrth Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 22-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Patna Mahila P.S. Case No.114 of 2018 registered under
Sections 376 and 420 of the Indian Penal Code.

The accusation is that the petitioner, who is blind,
forcibly committed rape on the informant, who is also blind, at
his rented room, situated at West Lohanipur, P.S. Kadamkuan,
District-Patna and also committed “Maar-Peet” with the
informant. When the informant made protest, the petitioner
asked the informant when his service would be confirmed in the
Blind School in the year 2016, he would perform the marriage
with her. Thereafter, the petitioner started to reside in his



village at Asansol and when the informant used to call the petitioner, the petitioner used to abuse the informant and her family members and also to the persons, who used to help the informant. The petitioner also used to give threatening to the parents of the informant of dire consequences after visiting the village of the informant. On one occasion, when the petitioner used to reside at Patna, the informant went to the room of the petitioner to take the book, then the petitioner and his lover assaulted the informant and got ready to push the informant from the roof but, anyhow, the informant got down from the roof through stairs, due to that reason, the informant does want to perform her marriage with the petitioner.

Learned counsel for the petitioner submits that while the occurrence is said to be of March, 2016 but the F.I.R. was lodged by the informant on 21.08.2018 without giving explanation regarding the delay in lodging the F.I.R.. Admittedly, the petitioner was the teacher in the blind school, where the informant was student. After leaving the blind school, the petitioner started to reside at his village at Asansol. Since the informant gave proposal to the petitioner to perform the marriage with her but the petitioner refused, due to that reason, the informant has lodged this false case. The petitioner



has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Priya Shekhar, Judicial Magistrate, First Class, Patna, in connection with Patna Mahila P.S. Case No.114 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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