

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67210 of 2019**

Arising Out of PS. Case No.-168 Year-2019 Thana- DHAMDAHA District- Purnia

Mankhush Kumar Gupta Son of Dilip Kumar Gupta Resident of Village-  
Dharhar, Jamunia, P.S.- Dhamdaha, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : M/s N.K.Agrawal, Sr. Advocate,  
Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Ram Sumiran Rai

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

**ORAL ORDER**

3      16-03-2020                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with  
Dhamdaha P.S. Case No. 168/2019 registered for the offences  
punishable under Sections 447,341, 323,376,504/34 of the  
Indian Penal Code.

There is specific allegation of rape against the  
petitioner and the victim has supported the prosecution case at  
paragraph 3 of the case diary.

However, learned counsel appearing for petitioner  
submits that informant lodged this false case on account of  
dispute of debt taken by informant and his other family  
members and the aforesaid fact has been supported by some of  
the prosecution witnesses, who were examined in course of



investigation. He, further, submits that there is inordinate delay in lodging the present case. Moreover, the petitioner lodged a case against informant and when the informant got knowledge about the institution of case by the petitioner against the informant and her other family members, the informant lodged the present case.

Regard being had to the above stated facts and circumstances as well as submissions of the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioner.

Accordingly, his prayer for bail stands rejected.

However, it is made clear that this order shall not cause any prejudice to the concerned court at the time of consideration of regular bail application of the petitioner.

**(Hemant Kumar Srivastava, J)**

Spd/-

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