

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15324 of 2021**

Arising Out of PS. Case No.-24 Year-2019 Thana- MAHILA P.S. District- Bhagalpur

Pramod Tanti Son Of Laxman Tanti @ Leshaman Tanti Resident Of Village -
Rani Talab, P.S. - Zero Mile, District - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ranjan Kumar Jha, Advocate
For the Opposite Party : Mr.SN Singh, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 01-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Bhagalpur Mahila
Police Station Case No. 24 of 2019 registered for the offences
punishable under section 376D and other allied sections of the
Indian Penal Code.

As per the prosecution case, petitioner was the tenant
of the informant who was a widow. He established physical
relationship on the false assurance of marriage, but later on he
refused to do so and took her to his employer on the plea that
whatever he would decide, he would abide by it where she was
raped by other accused persons.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case by the informant to pressurize him to vacate her house.



Medical report also does not support the prosecution case. He submits that though the incident is said to have taken place on 14.04.2019 but the FIR was lodged on 16.04.2019 for which there is no explanation of delay. It is also the case of the petitioner that during investigation witnesses have not supported the prosecution case. Moreover, call details report suggests that at the relevant time, informant was staying away from her house. Police after investigation submitted final form against co-accused Niranjan Kumar Agrawal. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 18.6.2020.

Learned counsel for the State opposes the prayer for bail.

In view of the specific allegation against the petitioner of establishing physical relation on the pretext of marriage, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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