

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24194 of 2020

Arising Out of PS. Case No.-363 Year-2019 Thana- SIWAN COMPLAINT CASE District-
Siwan

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MANOJ KUMAR PRABHAKAR Son of Chandrika Prasad Resident of
Village- Ekrama, P.S.- Chewara, District- Seikhpura, presently posted as
Officer-in-charge, Raghunathpur Police Station, District- Siwan.

... .. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party.

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Appearance :

For the Petitioner/s	:	Mr. Ravindra Nath Dubey
For the State	:	Mr. Ajay Kumar No.2
For the Informant	:	Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 30-11-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in Complaint
Case No.363 of 2019 registered for the offences punishable
under Section 376 (2), 354 A and 354/34 of the Indian Penal
Code pending in the Court of learned Chief Judicial Magistrate,
Siwan.

While the complainant had gone before the
petitioner to file an F.I.R., the petitioner is said to have tried to
commit rape against her.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been
falsely implicated in this case due to ulterior motive. As a
matter of fact, as the petitioner being the Officer-In-Charge of



the Police Station always tried to control the crime in the society and he used to take action against the persons involved in business of selling illegal liquor in the locality and that is why he has been implicated in this false case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that the considering the seriousness of the allegation, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within four weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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