

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23283 of 2020

Arising Out of PS. Case No.-98 Year-2019 Thana- MAHILA P.S. District- Patna

RAJESH KUMAR GUPTA Son of Sheonath Prasad Gupta Resident of Mohalla-East Lohanipur, Railway Hunter Road, Near Mahatma Gandhi School, House of Rakesh Sharma, Flat No.107, Police Station-Kadamkuan, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. N. N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 30-06-2021 Heard learned counsel for the petitioner and learned APP for the State through virtual mode.

The petitioner is apprehending his arrest in a case registered under Sections 376, 511, 354 of the Indian Penal Code.

The prosecution case, in short, is that the accused person entered into the room of the informant and tried to outrage her modesty.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The victim has subsequently filed an affidavit in



the Court below vide Annexure-4 to the present application in which she has retracted from her earlier statement made in the F.I.R.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Patna Nagar Mahila P.S. Case No. 98 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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